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THE PRESIDENT AND THE LAW

DURING the current dispute about the President's seizure of the steel mills two doctrines, complementary rather than opposing, but equally fallacious and equally dangerous, have been started. One is that the President, as the sole possessor of executive power, has a *legal* authority, granted him by the Constitution itself, in cases of imperious necessity, to do whatever needs to be done in the public interest. The other is that, under no necessity whatever, can an officer, even the President, be excused for departing from the law.

The first of these doctrines has been vigorously defended by President Truman, by the Department of Justice, and by four members of the Supreme Court. I say four members, because, in the recently decided case of *Youngstown Co.* v. *Sawyer*, Justice Clark, concurring in the judgment of the Court but not in its opinion, associated himself with Chief Justice Vinson and Justices Reed and Minton in vindicating President Truman's claim to a residual power under the Constitution to save the country when in danger. Said Justice Clark: "In my view . . . the Constitution does grant to the President extensive authority in times of grave and imperative national emergency. In fact, to my thinking, such a grant may well be necessary to the very existence of the Constitution itself."

The second doctrine has been less explicitly asserted. It seems to lie at the back of the minds of those who, in dinner-table conversation, cast imputations of a criminal nature on the President of the United States and loudly call for his impeachment. For the charge made against the President is not so much that

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he did wrong in seizing the steel mills as that he did wrong in breaking the law.

In a more subtle way this same notion—that the laws of Congress ought never to be violated—underlies much of the reasoning which, in the *Youngstown* case, has been brought to bear by individual justices of the Supreme Court on the moot question of residual power. Chief Justice Vinson, in his dissenting opinion, has constructed a dilemma to prove that the power exists: either the President has a residual power, under the Constitution, to save the country when in danger, or he has not; if he has, well and good; if he has not, the country must be lost when danger comes; the second alternative being inadmissible, the first must be accepted. But this reasoning is wholly invalid, except on the assumption that the only action possible in emergencies is legal action. Some of the remarks of Justice Douglas, though directed toward a different conclusion, seem grounded on the same assumption.

Both of these doctrines, however, would have been denounced by the Founding Fathers, had they ever heard them seriously urged in the United States: the first, because it is bottomed on a principle of high prerogative which in the eighteenth century, on both sides of the Atlantic, in English-speaking countries, was considered "a thing so odious in its very name, but so settled in the notions of it, and so exploded in theory as well as practice, that nobody ever thought of it, but to hate it, and to thank God it was utterly exterminated out of the pure solar system of the English government, and English liberty";[1] the second, because it is against common sense.

The Founding Fathers, it is important to understand, were not "so strait laced, as to let a nation die or be stifled, rather than it should be helped by any but the proper officers."[2] On the contrary, they thought it incumbent on those who accept great charges to risk themselves on great occasions, when the safety of the nation or some of its very high interests were at stake. But—and here is the significant point—they never con-

[1] The quotation is from A Speech in Behalf of the Constitution against the Suspending and Dispensing Prerogative, etc., 16 *Parliamentary History of England*, 251.

[2] The phrase is from Lord Halifax' "The Character of a Trimmer" in *Works* (Oxford, 1912), p. 65.

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founded acts which the law says may be lawfully done in a case of necessity with acts done in violation of the law for the public good. They never pretended that acts of the latter type were legal acts. When, in some cases of urgent necessity, they ventured to act without law or against law, they boldly took a responsibility; they ran the risk of the law, sometimes the risk of their fortune in damages; then they hastened to acknowledge on the records of the legislature that they had done a thing, meritorious indeed, but illegal; and they asked the legislature to cover them with an indemnity.

Two examples will serve to illustrate their practice. The first was quoted by Representative White of Virginia in the first session of the First Congress:

> I will relate an example. In Virginia, when the operations of the war required the exertions of the chief magistrate beyond the authority of the law, our late governor Nelson, whose name must be dear to every friend of liberty, was obliged to issue his warrants and impress supplies for the army; though it was well known he exceeded his authority, his warrants were executed, his country was benefited by this resolute measure, and he himself afterwards indemnified by the legislature. This corresponds with the practice under every limited government.[3]

The second case is much the same. In 1806, during the recess of Congress, the *Leopard* attacked the *Chesapeake*. War with England appeared a possibility. The magazines were ill-provided with some necessary articles, nor had any appropriations been made for their purchase. In these circumstances Jefferson did not hesitate to provide them and place the country in safety, even though, in so doing, he violated the appropriation laws. Then he made a full disclosure to Congress and asked for an acquittance:

> To have awaited a previous and special sanction by law would have lost occasions which might not be retrieved. . . . I trust that the Legislature, feeling the same anxiety for the safety of our country, so materially advanced by this precaution, will ap-

[3] Thomas Lloyd, *Congressional Register*, I, 525-526. See also Jefferson's *Works* (Ford ed.), XI, 223.

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> prove, when done, what they would have seen so important to be done if then assembled.[4]

In due course the *ex post facto* sanction which he asked was given.[5]

What is the constitutional doctrine which lies under these two particular cases and the many, exactly like them, that might be cited? It is simply this: Imperious circumstances may sometimes require the high officers of government to act *outside* the law; but when such action is taken, the causes of it ought to be truly imperious, and ought to be stated immediately to Congress, who is the only judge of the propriety of the measure, and not the man who has usurped its decision. If it shall appear, after full investigation, that the officer has acted honestly, under the pressure of such urgent necessity as he professes, then it becomes the duty of the Congress to sanction his illegal act—if damages have been recovered against him, to indemnify him for those damages.[6] On the contrary, if it shall turn out that the officer has acted unnecessarily and wantonly, from malice or resentment, Congress may decide to let him suffer the consequences.

* * * * * *

That this doctrine was accepted by every single one of our early statesmen can easily be shown. In 1793 William B. Giles of Virginia introduced in the House of Representatives a series

[4] J. D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, I, 428.

[5] Act of November 24, 1807.

[6] The nature of an act of indemnification was explained in 1807 by Representative Barnabas Bidwell: "By indemnification, I do not mean an act of indemnity, in the British sense of the term, pleadable in bar both to an action for damages and to a prosecution for an offence. Such an act might here be considered unconstitutional and void. A remuneration for damages incurred has been the mode of indemnification adopted by our Government." (16 *Annals of Congress*, 564.) When damages were recovered against George Little, captain of the frigate *Boston*, for doing an illegal act in pursuance of orders from President John Adams, Congress reimbursed his damages, interest, and charges, from the Treasury of the United States (Act of January 17, 1807). The same course was followed in the similar case of Alexander Murray, captain of the frigate *Constellation* (Act of January 31, 1805). For the facts in these two cases see *Little* v. *Barreme*, 2 Cranch 170, and *Murray* v. *The Charming Betsey*, 2 Cranch 64.

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of resolutions charging the Secretary of the Treasury with violating the appropriation laws. The first of these resolutions was phrased in the following terms:

> *Resolved*, That it is essential to the due administration of the government of the United States, that laws making specific appropriations of money should be strictly observed by the administrator of the finances thereof.[7]

Animadverting upon this proposition as specious but unsound, William Smith of South Carolina, Hamilton's spokesman in the House, proceeded substantially as follows:

> Though the position contained in the first resolution, as a general rule, was not to be denied; yet it must be admitted that there may be cases of a sufficient urgency to justify a departure from it, and to make it the duty of the legislature to indemnify an officer; as if an adherence would in particular cases, and under particular circumstances, prove ruinous to the public credit, or prevent the taking measures essential to the public safety, against invasion or insurrection. . . . Before the committee could come to a vote on such a proposition, it would be proper to examine into the exceptions out of the rule, to state all the circumstances which would warrant any departure from it. . . . Did any member wish at this period to attempt this inquiry? He supposed not. Let every deviation from law be tested by its own merits or demerits.[8]

The validity of this argument was not formally brought to debate because of the refusal of the House to involve itself in an investigation of theoretic principles of government when the short residue of the session was barely sufficient to examine the specific charges brought in Giles's subsequent resolutions. But it does not appear that anyone really held any other view. Findley, one of the most emphatic of the proponents of the resolutions, specifically conceded the point:

[7] *Journal of the House of Representatives*, Second Congress, second session (Philadelphia, 1793), p. 147.

[8] *Gazette of the United States*, IV, 321 (March 9, 1793). This speech is said to have been written by Hamilton. H. J. Ford, *Alexander Hamilton* (New York, 1920), p. 276.

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> I will admit that an executive officer, pressed by some urgent and unexpected necessity, may be induced to depart from the authorized path of duty, and have great merit in so doing. This may be the case with the general of an army or the admiral of a fleet, and, though more rarely, even with a financier. But in such emergency, the officer so acting will embrace the earliest opportunity to explain the matter and obtain a justification whilst the recent feeling arising from the occasion advocates his cause in the public mind. Has the Secretary done so in the present instance? No; his conduct has been the very reverse.[9]

Hamilton, of course, denied that he had violated any law; and the House sustained his denial.

In 1807 a somewhat similar debate was occasioned in the House of Representatives by the action of General Wilkinson at New Orleans in wilfully disregarding a writ of habeas corpus. A motion was introduced by Representative James M. Broom of Delaware to fortify, by penal laws, the privilege of that writ. This motion was attacked and defended on various grounds. But upon one point both sides were agreed: a case might be conceived in which an illegal suspension of the writ of habeas corpus might be an act so meritorious as to deserve the applause of the nation rather than its indignant frowns. According to Representative Bidwell,

> No one would deny that the commander of an army or of a post might be so circumstanced, that it would be his duty to make a seizure of suspected persons, or perhaps do other acts not provided for by any law. In such a case he must act under a high responsibility, and throw himself upon the justice of his country.[10]

Representative Early made the same point:

> Actions for damages are no doubt to be brought against the Commander-in-chief. Whether the damages which may be recovered, ought or ought not to be made good to him by the Government, must depend upon circumstances yet to be developed. That he has violated both law and Constitution, is not denied.

[9] *National Gazette*, II, 156 (March 13, 1793).

[10] 16 *Annals*, 516.

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> But whether there existed that imperious necessity for such violation, which alone can justify it, and give him a claim upon the Government for the damages to which he may be subjected in consequence thereof, can only be determined upon a full view of all circumstances.[11]

Even Representative Broom admitted "that there may be circumstances under which it might be the duty of a public officer to depart from the laws and take the responsibility upon himself."[12]

In the debates of 1807 on the making of an *ex post facto* appropriation to cover the illegal expenditures incurred by President Jefferson after the incident of the *Chesapeake*, the same general agreement between Federalists and Republicans as to the course of action to be pursued in emergencies was exhibited. Dana, a Federalist, remarked that the great broad question was whether or not it was proper for Congress to make appropriations to cover expenditures of public money not authorized by law. This question had long been decided by practice:

> Prior to the year 1801, expenses were incurred without the express sanction of Congress; they were incurred with a view to the public service in case of emergency. It was then discretionary with Congress either to approve or disapprove this conduct; if they approved it they passed a bill making an appropriation to cover the expenditure. . . . In 1807, when public expectation was directed to the Executive, it had been thought proper to incur certain expenses for insuring the public safety. A public officer, who in a moment of public exigency undertakes to purchase supplies, may rely on public support. If the Legislature condemns the procedure, the officer must bear the loss. Would you, said Mr. D., had you assembled at this time, with a knowledge of all the existing circumstances—would you have authorized these expenses to be incurred? This was the fair question, and was presented to them under favorable circumstances for determination.[13]

The supporters of the President defended the same general principle. To give but a single example: Representative G. W. Campbell, chairman of the committee of ways and means, re-

[11] 16 *Annals*, 518. [12] 16 *Annals*, 570. [13] 17 *Annals*, 827.

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marked that "cases of exigency required extraordinary remedies",[14] and pointed out that the question before the House was "whether the House would sanction these expenditures or not: whether the exigency of the case would justify them?"[15]

Jefferson's view on the question of broad principle was no different from Hamilton's. He expounded it at length in a letter of September 20, 1810, addressed to John B. Colvin, a clerk in the State Department who had propounded to him the following questions: "Are there not periods when, in free governments, it is necessary for officers in responsible stations to exercise an authority beyond the law—and was not the time of Burr's treason such a period?"[16] Jefferson answered both of these questions affirmatively:

> The question you propose, whether circumstances do not sometimes occur, which make it a duty in officers of high trust, to assume authorities beyond the law, is easy of solution in principle, but sometimes embarrassing in practice. A strict observance of the written laws is doubtless *one* of the high duties of a good citizen, but it is not *the highest*. The laws of necessity, of self-preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to written law, would be to lose the law itself, with life, liberty, property and all those who are enjoying them with us; thus absurdly sacrificing the end to the means.[17]

As far as General Wilkinson's conduct at New Orleans was concerned, the various circumstances of the case "constituted a law of necessity and self-preservation, and rendered the *salus populi* supreme over the written law." But Jefferson knew that the law of necessity was not law in the ordinary acceptation of that term. He did not subscribe to the exploded notion of the tendency of acts for the public good being sufficient to make them legal. And so he was careful to point out that a man who takes upon himself the responsibility for an act outside the written

[14] 17 *Annals*, 829.

[15] 17 *Annals*, 824.

[16] Colvin to Jefferson, Sept. 14, 1810 (Library of Congress, Jefferson Mss.). Colvin was ghost-writing one of the volumes of Wilkinson's *Memoirs*.

[17] Jefferson to Colvin, Sept. 20, 1810, Jefferson's *Works*, XI, 146.

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law must get an acquittance from Congress or suffer whatever consequences may follow from a deliberate and open breach of the law:

> The officer who is called to act on this superior ground, does indeed risk himself on the justice of the controlling powers of the constitution, and his station makes it his duty to incur that risk. . . . The line of discrimination between cases may be difficult; but the good officer is bound to draw it at his own peril, and throw himself on the justice of his country and the rectitude of his motives.[18]

* * * * * *

The contrast between the principles of emergency action which were accepted by our early statesmen and those which have been vindicated and defended by President Truman, the Department of Justice, and a minority of the Supreme Court in the steel seizure case is almost immediately obvious. For there is a wide difference between saying that the President has a *legal power* and saying that officers may act *at their peril.*

An officer who is called upon to risk himself for the public good—who must depend upon a positive act of Congress to justify him for a usurpation of power—is in a very different situation from an officer who can merely be charged with abusing a power which is legally his, who can plead necessity as a *legal* defense. The former will be very careful to see that the necessity which he pleads to excuse his act (not to justify his power) is indeed invincible; he will also take care that the necessity be not occasioned by any fault of his own, lest his very excuse be turned against him as an accusation. The latter, however, can act with less caution. He can safely resolve all doubtful cases in his own favor; for an abuse of power—unlike a usurpation—is condoned by the nonaction of Congress.

There is this, too, to be considered. A breach of the law, even a necessary one, that ought to be justified, can never destroy the law. It stands upon the records of Congress as an exception out of the law to be transmitted to posterity " as a safe-

[18] *Ibid.*, pp. 148, 149.

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guard of the constitution, that in future times no evil might come of it, from a precedent of the highest necessity, and most important service to the country." But an act legally done can always be drawn into precedent. If the President be conceded a sort of chancery power to suspend or dispense with laws, or with the execution of laws, or to make laws for the time being, on suggestions of equity or expediency, for the safety of the people, then the acts of Congress are uncertain and positive law is brought under the discretion, that is the pleasure, of the President. For if the President is the judge of the necessity, his power is unlimited; he may apply his discretion to any instance whatever; and, since " men by habit make irregular stretches of power without discerning the consequence and extent of them," one small wrong must lead to a greater one, and in the end force must become the measure of law, discretion must degenerate into despotism.

* * * * * *

It is not therefore with equanimity that the action of the President in the steel crisis, or more particularly the line of defense which he has adopted to justify his action, can be viewed.

Let the comparison between his conduct in this case and that of the Founding Fathers in analogous cases be absolutely clear. If President Truman had followed the example of our early statesmen, he would not have claimed an authority above the positive law. He might still have seized the mills; but he would have gone immediately to Congress, confessed his illegal act, and thrown himself upon the justice of his country and the rectitude of his motives.

That course, it is true, might have been difficult. He would have had to prove the indispensable necessity of an illegal action taken when Congress is in session—a harder thing to do than when it is in recess. He would have had to show that the measures taken were such as Congress itself would have authorized had it been able to act promptly. He would have had to convince Congress that he had himself no voluntary agency in producing the state of things which made such an unconstitutional exercise of power necessary to the safety of the state.

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But difficult or not, President Truman, had he followed this course, would have stood on what John Randolph used to call "the true old Constitutional ground". That in itself would have been a palliation of his offense against the laws, even assuming that that offense could not be fully justified. Doubtless Congress in the end, whether in its justice or its mercy, would have indemnified him.

President Truman, however, has chosen to rest his case upon the ground of high prerogative. He has declared that his act was a legal act, within the constitutional limits of the President's power. In so doing, he has (to use an old Whig phrase) laid the axe to the root of the Constitution. For such a doctrine, as I have suggested above, can tend to nothing but an utter subversion of the power of Congress, and of the most fundamental and essential rights and liberties of the people.

* * * * * *

The Supreme Court, to be sure, in the case of *Youngstown Co.* v. *Sawyer,* has found that the steel seizure was not a legal exercise of legal prerogative but a mere act of force, illegal and without authority of law.

Small comfort, however, is to be derived from this decision. For when all the concurring opinions in this case—six in number—shall have been read, it will be seen that what the Court decided was a narrow thing indeed: the steel seizure was illegal because it was inconsistent with any of the procedures which the legislature had especially prescribed for dealing with emergencies of which the steel crisis was a particular instance. Congress had foreseen the possibility that labor disputes might interrupt the production of articles necessary to the nation's survival; it had established by law three distinct modes of dealing with such disputes, each of them inconsistent with the mode which the President actually followed; it had reserved to itself the cognizance of all cases requiring the application of an extraordinary remedy—particularly, seizure. In these circumstances, it was not left to the superior wisdom of the President to anticipate the extraordinary remedy by applying it without the authority of a law.

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Upon the main question—whether or not the President has an inherent *legal* power to act for the public good in emergencies—the decision of the Court is ambiguous. Of the six justices who concurred in the decision, three said no, one said yes, and two said maybe. Their common meeting ground was upon a disjunctive proposition: the President may or may not have the power he claims; but, even if he has, the steel crisis was not such an emergency as could draw it forth.

The decision does not point at all at the justification to be effected by an *ex post facto* law.

What the Court *would* decide on the broad question of the President's powers, should a case ever come before it absolutely requiring a decision, can only be guessed. It is by no means certain that the Court would come to a decision consistent with the principles upon which our Constitution was framed, adopted, and first put into practice. Four members of the Court have flatly declared themselves in favor of the doctrine of residual power. Two members have said that they do not face the issue; but their language is such as to suggest that in certain circumstances—say, invasion or insurrection—they might admit the power. Of these two, one has even hinted that he might have admitted the legality of the steel seizure itself had it been "only for a short, explicitly temporary period, to be determined automatically unless congressional approval were given."[19] And if it is true, as Chief Justice Vinson asserted,

[19] The notion of a *lex temporis* has always been very beguiling, even to the greatest patrons of law and liberty. In 1766 it led Lord Camden to defend an illegal act of the Crown, done during the recess of Parliament, as "but forty days tyranny at the outside", forty days being the time required to assemble Parliament: "The power exercised on this occasion was so moderate, that Junius Brutus would not have hesitated to intrust it to the discretion of a Nero."

To this argument Lord Temple replied substantially as follows: "Forty days tyranny! My lords, tyranny is a harsh sound. I detest the very word, because I hate the thing. . . . Forty hours, nay forty minutes, tyranny is more than Englishmen will bear. . . . Forty days tyranny over the nation by the crown! who can endure the thought? . . . Establish a dispensing power and you cannot be sure of either liberty or law for forty minutes. . . . The noble lord has, indeed, been pleased to say, that Brutus would have entrusted Nero with such a power. A noble lord has already given this good answer: that though Brutus might have entrusted Nero with that power, Brutus would have been very sorry if Nero had exercised it when not entrusted to him." 16 *Parliamentary History of England*, 283, 290.

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that some members of the Court are of the view that the President has no power at all, inside or outside the law, to act in time of crisis, these members, too, must be counted as potential converts to the doctrine of residual power. For the doctrine of "executive impotence" cannot stand up against the facts of life. If the President cannot perform an act which is necessary though illegal, then the law must be construed in such a way as to make legal every act which is necessary.

* * * * * *

At bottom the argument of those who contend for the doctrine of residual power is based on the great maxim of state: *Salus Populi, Suprema Lex,* the safety of the people is the supreme law. But this maxim, it is hardly necessary to observe, is a statement of duty rather than of law. To pretend that the law of nature, the law of necessity, the law of saving our country when in danger, is law in the same sense as written law is to play with words. In proving what few have denied—that there may be occasions which justify an interposition of executive power in derogation of written law—the advocates of residual power are guilty of the fallacy variously known as *ignoratio elenchi,* shifting the ground, or answering to the wrong point. Only if these men are willing to associate the maxim quoted with that other great maxim, the maxim of tyranny—*À Deo Rex, à Rege Lex,* God makes the King and the King makes the law—will their argument be logically sound. Then, indeed, *Salus Populi* would be not only *Suprema Lex* but *Sola Lex,* and we could say with the ancient defenders of high prerogative, *Quod Principi placuit, Lex esto,* What the Prince has decided, let that be law.

But the defenders of residual power have another argument, less high-flown but for that reason all the more convincing: the President has been granted by the Constitution itself a legal power to act in emergencies. If it be asked where in the Constitution this power is to be found, the questioner is referred to the opening sentence of Article II: "The executive Power shall be vested in a President of the United States." By this general grant, it is said, the people of the United States conferred upon the President an authority to save the country when in danger;

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it is a quiescent power only drawn forth into action in times of crisis, but once active it is just as legal as any other power.

This second argument, I would observe in passing, is inconsistent with the first. For if the President has a legal power to act in emergencies, the principle of *salus populi*, which (rightly understood) always supposes the direct opposite, is totally out of the question. What need is there to call upon the law of necessity, the law of nature, the law of saving our country when in danger, when the act to be justified is already within the protection of the positive law of the land?

However this may be, the construction which has been put upon the Constitution by the defenders of residual power would have greatly surprised the Founding Fathers. They would, no doubt, have conceded that the opening sentence of Article II was a grant of executive power "in the lump"; distinct from the restrictions on its use, and the grants of power not strictly executive, contained in the detailed clauses.[20] But they had very precise, eighteenth-century notions about the definition of executive power: it was a power to carry into execution the national laws—that and nothing more. It was a limited power; the action of the executive necessarily depending on the legislation of Congress. As Charles Francis Adams once said: "The legislative power is the precise measure of the executive power."[21] The Founding Fathers would have been vastly astonished if anyone had told them that a power to put in act the laws included a power to break them or to act without authority of law.

It is no doubt true that, in assigning powers to the President,

[20] It is not until Webster's time that we find this clause interpreted as a mere caption containing no grant of power whatever. The dispute between Madison and Hamilton—Helvidius and Pacificus—was mainly a verbal one: Hamilton had said that the powers of declaring war and making treaties were exceptions out of the general grant of executive power; Madison preferred to call them legislative powers. There was no disagreement as to where they belonged under the Constitution. When Hamilton remarked that "the executive is charged with the execution of all laws, the laws of nations as well as the municipal law which recognizes and adopts those laws," Madison agreed. *Writings of James Madison* (Hunt ed.), VI, 159.

[21] Charles Francis Adams, *An Appeal from the New to the Old Whigs by a Whig of the Old School* (Boston, 1835), p. 15.

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the Founding Fathers had in mind the complex of exclusive and peculiar privileges which made up the so-called prerogative of the English Crown. Parts of this prerogative—the pardoning power, for example—they gave to the President. Other parts—the power to declare war, for example—they gave to Congress. But in eighteenth-century England the royal prerogative contained no residuum of undefined power. Its different chapters—to declare war, to make peace and treaties, to create peers, to pardon offenders, to see to the execution of the laws—were well defined and well understood. It contained no arbitrary power, nor anything so near to it as not to be distinguishable. In 1766 Lord Mansfield said:

> I have a very simple notion of it, and it is this, that prerogative is that share of the government which, by the constitution, is vested in the king alone. . . . I can never conceive the prerogative to include a power of any sort to suspend or dispense with laws, for a reason so plain that it cannot be overlooked, unless because it is plain; and that is, that the great branch of the prerogative is the executive power of government, the duty of which is to see to the execution of the laws, which can never be done by dispensing with or suspending them.[22]

In the light of these considerations it is safe to say that if the Founding Fathers had intended to give the President a legal power to suspend or dispense with law in cases of necessity, they would have done so by specific grant. In the eighteenth century a general grant of power to execute the laws was not considered wide enough to include a power to violate them. Even the whole prerogative of the English King did not contain such a power.

* * * * * *

The failure of our early statesmen to claim a residual power to act legally against law, together with the failure of the Founding Fathers to incorporate a suspending or dispensing power in the Constitution, suggests that the Founding Fathers did not admit the doctrine of residual power. This high prob-

[22] 16 *Parliamentary History of England*, 266-267.

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ability becomes certainty, when we read the Constitution in the context of contemporary political ideas.

The doctrine of residual power, of inherent power, of emergency power—for it goes under many names—was not unknown to the Founding Fathers. In a general sort of way they remembered the days of the Stuart monarchy when it was largely admitted that the King in Council might, in great emergencies, make law and break law—when the power to dispense with law was itself law. And they remembered also " the fatal ground upon which that unhappy question was decided, with a vengeance," in 1688.

But they had also heard the doctrine defended in their own lifetime. In 1766 a famous case arose in England. Here are the relevant facts as they were related, for the instruction of the American Congress, in 1807 by the chairman of the committee of ways and means:

> It was a proclamation, issued in derogation of law, by the King, with the advice of the celebrated Lords Chatham and Camden, on a great national exigency. The measure was generally approved and applauded throughout the nation. The Parliament were ready to sanction it. But, instead of accepting an act of indemnity, those Ministers undertook to justify it, as legal, upon the principle of necessity. In that they erred. . . . Their error consisted, not in doing an illegal act, for the public good, but in doing it under color of legal authority, when the law did not authorize it.[23]

The arguments used by Lord Camden upon this famous occasion were not very different from those used today by our own Department of Justice:

> The necessity of a measure renders it not only excusable, but legal; and consequently a judge, when the necessity is proved, may, without hesitation, declare that act legal which would be clearly illegal where such necessity did not exist. The Crown is the sole executive power, and is therefore intrusted by the consti-

[23] 16 *Annals*, 564. What had happened was this: The harvest had failed; a positive law forbade the placing of an embargo on the export of corn; prices were rising and a famine was threatened; Parliament was in recess. In these circumstances, the government, in violation of law, placed an embargo on the export of corn.

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> tution to take upon itself whatever the safety of the state may require.[24]

Lord Camden, to be sure, did not go so far as our own legal luminaries, for he added that this high prerogatival power existed only during the recess of Parliament and, even then, only when Parliament could not be conveniently assembled; but the qualifications cannot be admitted, for cases can be imagined when a prompt interposition of executive power (I will not say, authority) might be necessary to save the country even when the legislature is sitting.

However this may be, Lord Camden's argument even in its limited form was not successful. It was answered that

> The law is above the king; and the crown, as well as the subject, is bound by it, as much during the recess, as in the session of parliament; because no point of time, nor emergent circumstance, can alter the constitution, or create a right not antecedently inherent. These only draw forth into action the power that before existed, but was quiescent. There is no such prerogative in any hour or moment of time, as vests the semblance of a legislative power in the crown.[25]

In the end the advisers of the Crown were forced to accept an act of indemnity, the illegality of their action being frankly and fully acknowledged in the preamble. By way of warning, the words of Mr. Alderman Beckford, who had said in the House of Commons that "whenever the public is in danger, the King has a dispensing power," were taken down. He was admitted to explain himself, and thereupon declared that he meant to have added "with the advice of council, whenever the *salus populi* requires it." These words were also taken down, and Beckford, being admitted further to explain himself,

[24] Lord Charlemont's *Correspondence* (London, 1891-1894), p. 22. Quoted from Lord Campbell's *Lives of the Lord Chancellors* (London, 1846), V, 265.

President Lincoln in his private correspondence unguardedly made the same argument. He "felt that measures otherwise unconstitutional might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the nation." *Works* (Nicolay and Hay, eds.), X, 66. Justice Clark quotes this passage in his opinion in the *Youngstown* case.

[25] 16 *Parliamentary History of England*, 259.

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finally declared that he only meant to have said: "That on great and urgent occasions, where the safety of the people called for the exertion of a power contrary to the written law of these kingdoms, such exertion of power is excusable only by necessity, and justifiable by Act of Parliament." [26]

The Founding Fathers were all Whigs in the English sense of the term; this was Whig doctrine and they approved it. Indeed it would be easy to show that the whole idea of a legal power to act in emergencies was repugnant to them. In the First Congress a member remarked:

> It would be better for the president to extend his powers on some extraordinary occasions, even where he is not strictly justified by the constitution, than the Legislature should grant an improper power to be exercised at all times. . . . I say it would be better for the executive to assume the exercise of such a power on extraordinary occasions, than for us to delegate to him authority to exercise an extraordinary power on all occasions.[27]

In the Ninth Congress a similar view was put forward:

> Our Constitution, our laws, our liberty, and property, are more endangered by acts done silently, under color of law, by a constructive assumption or extension of powers, than by any which may be done openly, in the face of the nation, under a known and acknowledged responsibility, subject to the approbation or disapprobation of the Government, after a deliberate examination of the whole case. The temptation to pass such an ordeal cannot be so strong as to be dangerous.[28]

* * * * * *

I submit that the men who made our Constitution and first put it into practice understood the principles of government better than some of those who now profess to defend it.

LUCIUS WILMERDING, JR.

PRINCETON, N. J.

[26] *The Grenville Papers* (London, 1852-53), III, 374, 386.

[27] Lloyd, *Congressional Register*, I, 525, 526.

[28] 16 *Annals*, 565.

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THE REVOLUTION IN VALUES: ROOTS OF THE EUROPEAN CATASTROPHE, 1870-1952

I: *Three Nonpolitical Revolutions*

THE political revolutions of modern times are more famous and familiar than the nonpolitical ones.[1] Yet the latter are just as important. It is precisely the nonpolitical background that explains the political revolutions of communism, fascism and nazism. Here, then, are the three most influential nonpolitical upheavals of the later nineteenth century in Europe, with a brief characterization of each.

(1) First, to coin a phrase, the ethical revolution. This will also be referred to as the revolution in values. It liquidated the ethical restraints governing the means societies used to reach their ends. Thereby it eventually transformed liberal nationalism into fascist nationalism, and democratic or utopian socialism into bolshevik socialism.

(2) The territorial revolution. It changed the territorial structure of Germany and Italy from the traditional decentralization into a centralized unity.

(3) The second industrial revolution, also called the neo-industrial revolution. It extended to these new areas, in an expanded form, the original industrial revolution of England and France.

For all three of these nonpolitical revolutions, the key date, the symbolic date, is 1871, and the key place is Paris and its near-by palace of Versailles. This date and this place are the most convenient starting point for reëxamining the roots of the twentieth-century European catastrophe.

On January 18, 1871 in Versailles, under the Prussian chan-

[1] The author's main project for the next two years is a detailed history of modern Europe. This brief essay is a series of very sweeping generalizations about the causes of the European catastrophe. They were written in a preliminary, tentative effort to "think through" the general problem of Europe *as a whole*, in preparation for writing the more concrete, more specific project of the two years ahead.

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cellor Bismarck, the German princes were proclaiming the foundation of the German Empire. Having invaded and defeated France, the King of Prussia was proclaimed Emperor of a newly united Germany.

On January 18, 1871, the great Hall of Mirrors in the palace of Versailles reflected and counter-reflected, in an endless glittering and counter-glittering, the swords which all the princes of Germany flashed from their scabbards, shouting "Hail the Emperor!" ("*Hoch der Kaiser!*"). This fiery scene of swords in mirrors is the very quintessence of the spirit of war. This shout of triumphant militarist nationalism—"*Hoch der Kaiser!*"—mingled in a single martial roar with the near-by Prussian cannons bombarding Paris. Both noises seemed to echo all Prussia's and Bismarck's aggressive wars of the past and then to reverberate future-ward into the two world wars of 1914 and 1939. By April 3, 1871 the noise of class war was already drowning out the noise of national war, as a radical Paris Commune fought bloodily with a conservative French National Assembly.

Hoisting a red flag as symbol of socialism, the Paris Commune, later glorified in a book by Karl Marx, created a heroic legend for the Russian Bolsheviks of 1917. "Do you want to know what a dictatorship of the proletariat looks like?" asked Engels. "Then look at the Paris Commune"—which Marx said "will be forever celebrated as the glorious harbinger of a new society." The so-called "proletarian" dictatorship of this Commune revolution was in reality a coalition of all brands of socialists and republican radicals, but for the European revolutionary movement the real facts have been replaced by the Marxist legend about it. It joined with German nationalism to make the Paris of 1871 a doubly prophetic place and time, the Year One of contemporary Europe.

This place and this time—the Paris and Versailles of 1871—are the most logical beginning for a history of Europe in our time. Symbolically the glass Hall of Mirrors was reflecting the approach of the two greatest history-making forces of modernity: forces that changed the map and changed society and trampled upon what Mussolini was to call "the rotting body of

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the Goddess of Liberty". These two forces are militaristic nationalism and militant socialism.

The ethics of this transition, when the European Christian heritage of "humanity" was exchanged for the pagan war-cult of "nationality", was summed up by Franz Grillparzer (1791-1872), the great Austrian dramatist. Observing the nationalistic revolutions of 1848, which were wrecking the international-minded Hapsburg empire, Grillparzer commented: "The path of modern culture leads from humanity, through nationality, to bestiality."

II. *Changes in Socialism and Nationalism*

Both socialism and nationalism had long been present in Europe. A bit of socialism and a lot of nationalism had modified—to left or right—the liberalism of the various uprisings of 1848. But to a great extent the original pre-Marx socialism and the original pre-Bismarck nationalism had been peaceful, conciliatory, tolerant, evolutionary, in the great liberal tradition. The pre-Marxist socialists—Robert Owen (1771-1858), Saint-Simon (1760-1825), Fourier (1772-1837), Proudhon (1809-65), and the rest—have been dismissed by Marxist and Soviet writers as mere "utopians". The label "utopian socialist" continues to cling mockingly to non-Marxist socialists, who hope to bring about socialism peacefully without class war. The label is not one to be ashamed of. Its advocates claim that only through peaceful evolution—as in the current socialist reforms in Scandinavia—can socialism be achieved without sacrifice of civil liberties. In contrast, Marxist socialism and Bismarckian nationalism have in common a resort to force, a contempt for tolerant parliamentary solutions. After the 1870's, these are the dominant kinds of socialism and nationalism.

The pre-Bismarck nationalists—like Herder (1744-1803) in Germany and Mazzini (1805-72) in Italy—are known as "liberal" nationalists. Like their historical brethren, the utopian socialists, they had tried and failed in the revolutions of 1848. Their nationalism was one not of hate for other races but of tolerant coöperation of all nationalities in a peaceful nondespotic Europe.

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In deriding the attempt to achieve socialism through parliamentary means, Marx (1818-83) and Soviet writers are exactly as scathing as Bismarck was in deriding his "liberal nationalist" predecessors. Marx and Lenin might have said on behalf of class war and of the proletariat what Bismarck said on behalf of national war and of Prussia in his often quoted speech of 1862, attacking peaceful parliamentary methods: "The eyes of Germany are fixed not upon Prussia's liberalism, but upon her armed might. . . . The great questions of the day will not be decided by speeches or by majority decisions—that was the mistake of 1848 and 1849—but by blood and iron!"

The "blood and iron" nationalism that followed 1870 culminated eventually in Nazi Germany and Fascist Italy. The "blood and iron" Marxist socialism of the 1870's culminated eventually in Soviet Russia and in an Iron Curtain advancing over Europe and Asia. Preferring state omnipotence to individualism and preferring quick violent change to gradual parliamentary change, these are the two new value-systems that arose from the ethical revolution. They arose to challenge the traditional ethics and values of Europe and America ("the West").

In contrast with the ethical revolution, man's traditional ethics are either individual or universal or both, being a very individual responsibility to a universally valid code of morality. This is true of Plato, of the Stoics, and of Christian thought. This combination of the *individual* responsibility and the *universal* validity continued through the eighteenth century. It inspired the rationalism of the Enlightenment as well as the "categorical imperative" of Kant's version of the Golden Rule.

The ethical revolution replaced both individual and universal ethics with national ethics. Thereby the national interest, its military power, its economic power, its expansion, became the final criterion of right and wrong. This criterion was openly and gloatingly proclaimed by such political writers as Friedrich A. J. von Bernhardi (1849-1930), German General and nationalist: "Political morality differs from individual morality, because there *is no power above* the state." (The "patriot" who wrote these words claimed to believe in God!)

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Or in the words of Cavour (1810-61), who achieved the Italian territorial revolution: " If we did for ourselves what we do for our country, what rascals we would be! " That sentence might be taken as the motto for the whole ethical revolution and for the two world wars that followed.

Contrast the above Bernhardi credo about " no power above the state " with its direct opposite: Thomas More's dying words on the scaffold, " I die the king's good servant, but God's first." Substitute " the nation-state " for " king " and substitute " universal ethics " for " God ", and you have the perfect contrast between our value-heritage and the revolt against values.

Nationalized ethics has crushed internationalism on the one hand and individualism on the other. This made it the appropriate creed for that new power-group, the middle-class nationalists created by the industrial and territorial revolutions.

So-called Machiavellianism—ruthlessness in world affairs—is, of course, nothing new; it has always been with us. But not until after 1870 was it systematized so thoroughly, or thought out so deliberately. Never before the age of Hitler and Stalin was it practiced with such efficient total coördination. Never before was it accepted so popularly and widely as replacing Christianity as a religion and system of ethics.

At the same time, a scientific revolution—the " New Science " associated with Darwinism—not merely changed the science of Europe but had important indirect repercussions on its political and social ethics. Political and social misuses of Darwin's theory of " evolution through natural selection " gave a seemingly scientific justification to the ruthlessness accompanying the ethical revolution. National war and class war, the political militarism that followed Bismarck and the social militarism that followed Marx, could now claim to serve man's evolution by weeding out the allegedly " unfit " nations, races, or classes.

III. *The Assault on the Heritage*

The revolution in values has almost annihilated the European heritage. Nourished over the centuries by the teachings of Christ and Saint Paul, by Socrates and Pericles, by Aristotle

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and Erasmus, the European heritage is built on reverence for the precious uniqueness of the individual soul. This heritage, which has absorbed so many social and political changes, is compatible with democratic capitalism or with democratic socialism or with democratic nationalism. It is incompatible with the new totalitarian blood-and-iron nationalism and socialism, the extremes of which are fascism and bolshevism. Both are necessarily against the Christian ethic and the democratic polity. Both liquidate the concept of "Europe" and "the West".

The European heritage, expressed in some of the freest and most creative cultures of mankind, is an amalgam of the four traditional ancestries of Western man: the stern moral commandments and social justice of Judaism; the love of the free Hellenic mind for beauty and for untrammeled intellectual speculation; the Roman Empire's universalism and its exaltation of objective impersonal rule of law; and the Golden Rule and international, interracial brotherhood of Christianity.

These four ancestries were often mutually conflicting and, still more often, hypocritically evaded. Nevertheless, their ever-shifting amalgam has for some two thousand years given Europeanism its society-building spark, its creative imagination, its urge to discover new continents—new Americas—of the earth and of the mind. Never attained, often betrayed, less often practiced than preached, yet never wholly extinguished, these traditional values are what goaded Western man to greatness.

The history of Europe after 1870 relates the decline—not necessarily fall—of Europe. It is the history of how a heritage of two thousand years was smashed in three generations of state worship, power worship, world depressions, and world wars. As a result, the historian of Nazi Europe and Communist Europe observes that the typical institutions are no longer the parliament, the university, and the cathedral, but the secret police, the gas chamber, and the forced-labor camp.

At first the value-system known as "Europe" did seem to tame the two revolutionary forces of nationalism and socialism, extracting from them what was valuable, changing national frontiers and social frontiers without sacrificing personal liber-

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ties. It was a good example of "challenge and response". A seemingly successful absorption of the challenge, a case of practical evolutionary conservatism, marked the history of Europe from 1870 up to World War I. Reactionary tsars and kaisers and revolutionary socialists and nationalists were all making ever handsomer concessions (no matter how grudgingly) to reasonableness and to parliamentary processes.

By 1914, socialism and nationalism seemed "house-broken". Marxist socialist parties had relaxed into "Social Democrats"; most nationalistic hotheads were calming down into national democrats; for a while, there was more talk of the Hague Peace Conferences than of the approaching war. To a great extent, the leading parties of socialism and likewise of nationalism had been assimilated into the European parliamentary system, working in lawful, gradual, parliamentary fashion for the changes they demanded.

That is why World War I was a tragedy so irrevocable. It cut suddenly short the slow, patient taming-process. World War I is the worst single catastrophe in human history. Even worse than World War II, though it killed less millions: for by the time of World War II there was much less freedom and decency left to destroy than in 1914; by 1939 Europe's decline into totalitarianism was already far advanced.

World War I smashed both the moral and economic fabric of European civilization. This is why its advent at the time was hailed so ecstatically by its two chief beneficiaries, Hitler (1889-1945) and Lenin (1870-1924). These two men between them, and what they stood for, brought about the terrible European crisis threatening America's very existence today. Hitler reduced blood-and-iron nationalism and racism to its ultimate, logical absurdity, just as Lenin was the ultimate extreme of the blood-and-iron socialism of the 1870's.

The foregoing analysis of the pre-1914 European heritage is substantiated by the fact that both men explicitly saw World War I as the salvation of their respective doctrines and as the smashing of the non-blood-and-iron world they despised. In his autobiographical *Mein Kampf*, Hitler described how he fell on his knees to thank Heaven for this bloodthirsty war:

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> The fight of the year 1914 was certainly not forced upon the masses, good God!, but desired by the entire people. . . . To me personally those hours appeared like redemption. . . . Overwhelmed by impassionate enthusiasm, I had fallen on my knees and thanked Heaven out of my overflowing heart that it had granted me the good fortune of being allowed to live in these times.

For Lenin, likewise, " these times " were his " good fortune "; without the moral and economic crash of Europe, he, too, would never have had the chance to remold half a continent nearer to his heart's desire. Lenin, too, was an accurate prophet when he foresaw before 1914 that the sole hope for bolshevism was a big war, adding wistfully—in a letter to Gorki in 1912—" I am afraid that Francis Joseph and Nicholas will not give us this pleasure." When two years later the two rulers did manage to please, they destroyed not only their own dynasties but the hitherto very promising effort of a resilient Europe to absorb nationalism and socialism peacefully and gradually into the traditional value-structure. The conservative, evolutionary solution to Europe became the first casualty of a nihilistic world war. The two new " isms " turned, via Lenin and Hitler, to that radical, revolutionary " solution " for sickness of which the ancient Greek doctor, Hippocrates, spoke: " What medicine does not heal is healed by iron; what iron does not heal is healed by fire."

The Pan-German nationalists and Pan-Slav nationalists, who between them incited the Austro-Serb and German-Russian clash of 1914—they, too, were accurate prophets when they proclaimed that only through war could they achieve their dreams. Only through war could they smash the old, law-abiding, parliamentary society of Europe, in which the new nationalism was tempered by a sense of international unity and the new socialism (as " Social Democracy ") was tempered by a sense of common liberties and a common noneconomic culture. These common liberties and cultural values transcended all classes and nations and contained a great European spiritual treasure.

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Here is a typical example of how by 1914, in the eyes of one of the clearest minds of the time, this great European heritage had seemingly absorbed its opposition. The English historian J. B. Bury wrote in 1913: "The struggle of reason against authority has ended in what appears now to be decisive and permanent victory for liberty. In the most civilized and progressive countries, freedom of discussion is recognized as a fundamental principle. . . ." That there should ever be a swing back to tyranny and against this "permanent victory for liberty", he deemed in 1913 "improbable".

However, almost as an afterthought, Bury did see one threat to this triumphant European liberty and tolerance. Coercion might return if, in some supposedly remote future, "a revolutionary social movement prevail, led by men inspired by faith and formulas (like the men of the French revolution) and resolved to impose their creed. . . ." As a historic tragedy, World War I is unequaled, even by World War II, because World War I in a few years of chaos replaced Bury's "permanent victory for liberty" by the fascist and bolshevik revolutions of men "resolved to impose their creed."

In the light of the later Nazi and Communist consequences of that war, it is today interesting to recall what Sigmund Freud said of World War I in 1922: "No event ever destroyed so much of the precious heritage of mankind . . . or so thoroughly debased what is highest."

This analysis of World War I by the greatest of psychoanalysts was also noted at the time by the intuition of the century's greatest poet. Both these men of insight justify my view of that war as the worst thing that ever happened to mankind. In the year 1919, contemplating pre-war hopes like Bury's, William Butler Yeats observed:

> We too had many pretty toys when young:
> A law indifferent to blame or praise,
> To bribe or threat; habits that made old wrong
> Melt down, as it were wax in the sun's rays;
> Public opinion ripening for so long
> We thought it would outlive all future days.
> O what fine thought we had because we thought
> That the worst rogues and rascals had died out.

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All teeth were drawn, all ancient tricks unlearned,
And a great army but a showy thing;
What matter that no cannon had been turned
Into a ploughshare? Parliament and king
Thought that unless a little powder burned
The trumpeters might burst with trumpeting
And yet it lack all glory; and perchance
The guardsmen's drowsy chargers would not prance.

Now days are dragon-ridden, the nightmare
Rides upon sleep: a drunken soldiery
Can leave the mother, murdered at her door,
To crawl in her own blood, and go scot-free;
The night can sweat with terror as before
We pieced our thoughts into philosophy,
And planned to bring the world under a rule,
Who are but weasels fighting in a hole.

Recorded by the historian and confirmed by the psychologist and the poet, this shift in values from peaceful parliamentary gradualism to blood and iron, from stress on good means to exclusive stress on ends, is what I mean by "the ethical revolution" of modern Europe. "Man does not live by bread alone." Therefore, in the long run, the anti-Western and anti-Christian revolution in ethics is a historical earthquake as important as the far more famous industrial and political revolutions of Europe.

IV. *"There Is No Truth; Everything Is Permitted"*

Militarist nationalism and class-war socialism intentionally undermined the values of the West and intentionally fulfilled the ethical revolution of 1871-1951. Liberalism, though often slandered far too glibly by conservatives, does also have a partial guilt in this. It is a far lesser guilt than that of nationalism and socialism. Relativist liberalism unintentionally, not intentionally, served the ethical revolt against European values.

"Pragmatic" and "positivist" liberalism was so eager to prove all values "relative" that it undermined the ethical heritage and Christian restraints of the West, as well as the organic traditional institutions that served as a unifying social cement. Thereby liberalism unintentionally paved the way for Hitlerism and Stalinism. Liberalism always begins attractively by liberating men from absurd old prejudices and aristocratic

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excesses. It ends tragically by putting all men in the position of those few illuminati who, when initiated into the seventh circle of Syria's medieval Order of Assassins, were told the Order's secret of secrets: "*There is no truth; everything is permitted.*" Or, to cite an unconscious Broadway jazz echo of the Assassins: "Anything goes." No wonder that Fascist and Communist mass-murder, based on the assumption that every means is permitted to achieve one's ends, followed a century of relativist liberalism and of the most modern "scientific" enlightenment.

To this indictment, most contemporary intellectual leaders in the sciences and in the humanities would react vigorously. Their reply would stress intellectual honesty, no matter at what cost to social unity and no matter at what cost to the sanction and alleged sugar-coating of religion still needed to enhance ethical behavior. Indeed they would see, as man's supreme ethic, that respect for reason and scientific method, no matter where it may lead, on which the decline of ethics and spirituality and the rise of materialism are sometimes blamed.

Their reply (to sum up very superficially the main intellectual trend in current secular culture) would run somewhat like this: For modern man, the answer to relativism and chaos in truth and ethics is not and cannot be a system of absolute codes of truth and absolute codes of behavior based on bigotry, superstition, and contempt for reason. The "modern" would, as a source of truth, disregard intuition and disregard religious inspiration. To him these are an emotional self-deception. Moreover, intuition and inspiration are "too hot to handle". They simply do not lend themselves to the scientific method of analysis.

Aside from this, the "modern" position does have great cogency in so far as it reminds outraged, antimaterialistic moralists that the answer to "Anything goes" is not some political or ideological Inquisition saying: "Nothing goes."

Small wonder that agreement cannot be reached about unprovable imponderables, even if the survival of a just and free society partly depends on such problems. Small wonder that contemporary philosophers and statesmen, men of good char-

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acter and good intellect on both sides, disagree deeply and bitterly about the causes of the terrible totalitarian revolution in ethics and about its cure. The battle between the materialistic, scientific relativist and the idealistic, religious absolutist, with so many insights on both sides, is apparently reflecting an innate split in human nature which can never cease, never be solved. Naturally there is far less disagreement about the more factual, less "metaphysical" revolutions that accompanied the anti-Christian ethical revolution: namely, the industrial and territorial revolutions. It is, therefore, to them that the discussion may now turn.

V. *The Three Industrial Revolutions*

Nineteenth-century Europe has witnessed at least two distinct industrial revolutions. Today we are witnessing a third. The three may be conveniently summarized as follows:

(1) In the late eighteenth and early nineteenth century, the *first* industrial revolution, beginning in England, swept over Europe:

(a) It replaced hand power and horse power by steam power.

(b) It urbanized a hitherto rural Europe.

(c) It gave impetus to materialism and a worship of science in what had been the domain of religious philosophy.

(d) Needing a broader market than old provincial tariff lines permitted, it gave impetus to nationalism and the formation of the large, capitalist, nationalist state.

(2) In the 1870's, centering in Germany, the *second* industrial revolution swept over Europe:

(a) It replaced steam power with electric power.

(b) It replaced small laissez-faire capitalism with large mass-production monopoly-capitalism.

(c) It gave impetus to power politics and statism.

(d) It helped transform nationalism into imperialism by directing national aspirations outward to foreign colonial markets, raw materials, and dumping grounds (a fact which, despite the Hobson-Lenin theory of imperialism, did not make inevitable either World War I or the end of capitalism; it did, how-

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ever, deeply transform not only the economy but the culture of both Europe and the two colonial continents).

(3) The first industrial revolution is symbolized by the railroad, which in turn became the unifying sinew of nationalism making local provincial markets outdated. The second industrial revolution is symbolized by the transoceanic freighter, speeding to Asia and Africa: the unifying sinew of world-wide imperialism. Similarly, the *third* industrial revolution, centering in America and Soviet Russia and now dawning upon us, may replace electricity by atomic power, just as the second replaced steam power and the first replaced hand power.

As the symbol of the first was the railroad, unifying the nation, and as the symbol of the second was the ocean liner, uniting the globe, so the symbol of the third may some day come to be (incredibly Buck Rogerish as it sounds) the interplanetary rocket ship, uniting all space and time and conquering everything in the material universe except that tiny catalyst, the heart of man. The ethical rightness or wrongness inside the human heart will still determine whether any given physical or economic advance is a blessing or a curse, just as it did when the first cave man invented the first ax in some prehistoric "industrial revolution".

VI. *The Territorial Revolution*

The third great nineteenth-century convulsion, accompanying the ethical and industrial changes, was the territorial revolution of 1859-71. It created two new centralized states: Germany and Italy. It was far more than ideological in scope. But it was set in motion by an ideology: nationalism.

In turn, the territorial revolution altered nationalism. It militarized nationalism. It gave a bigger springboard for expanding a landlocked nationalism into transoceanic imperialism. And it made the new German and Italian nationalism synonymous with the cult of the existing state. The earlier German and Italian nationalism had been a cultural feeling that became political only in order to protest *against* the existing state. After 1871, nationalism and statism at last became reconciled, uniting into a single, overwhelming force.

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The territorial revolution occupied the dozen rapid years of aggressive war by which Cavour unified Italy and Bismarck unified Germany. To see how truly revolutionary were these dozen years of unification, it is necessary first to recall the preceding thousand years of a disunited center.

For the thousand years following the break-up of Charlemagne's united Central Europe, the constant factor in the shifting kaleidoscope was the weakness of the European center, the strength of the periphery. The German-French-Italian-Christian empire of the Frankish King, who became Roman Caesar in the year 800, was turned by feudal centrifugality into a jigsaw puzzle, the fragments of which never held together. Intermittent successes of a Pope or a Holy Roman Emperor, a Leo or a Hohenstauffen, were the exceptions. The rule was that Germany and Italy were, to use Prince Metternich's phrase for the latter, mere "geographical expressions". These two central areas consisted of many tiny, feeble, divided states while their neighbors to west and north and east—France, England, Sweden, the Grand Duchy and later Tsardom of Moscow, the Ottoman Sublime Porte—were powerful, large, united monarchies.

Nature abhors a vacuum. Into the power-vacuum of the German-speaking center, gravitated heathen Viking and Latinized West Frank; Tartar and Turk; Magyar and Pole; Pope and Bourbon and Romanov. The crescendo of this process was the Thirty Years' War (1618-48) when the Hapsburg armies were fighting the armies of Denmark's King Christian, Sweden's Gustav Adolph, and France's Cardinal Richelieu on the two-thirds-devastated soil of the many little "Germanies".

Meanwhile in the south, in the power-vacuum of the Italian-speaking center, Scandinavia's Christian pirates beat their swords in Sicily against the scimitars of Africa's Arab-speaking Mussulmans. On the Italian soil they both claimed, the heirs of Constantine debated the heirs of Peter over the endless question of what to render unto God and what to render unto Caesar. In the swamps of the Neapolitan boot, Spanish Aragon fought French Anjou with the Italian mercenaries both sides hired and could not pay, until both crumbled into luxury, cor-

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ruption and malaria and were replaced by the cannily marrying Hapsburgs. Above all, it was Austrian and Frenchman who battled: in Naples and in Milan; first with crossbow and then with musket; from the days of a divinely anointed Charles and Francis through a brace of plebiscite-anointed Napoleons.

For ten trampling centuries, up to Cavour (1810-61) and Bismarck (1815-98), the boot-tread and hoofbeat of invasion passed always from east and west and north into the feeble German-Italian center. Then suddenly, amazingly, as a result of the twelve-year territorial revolution of Cavour and Bismarck, the tide of invasion reversed itself. It now hurtled outward for seventy years from a strong aggressive center into weak peripheries. Of this the crescendo was the Hitler-Mussolini empire, in which the two former " geographical expressions " mastered their geography and conquered a continent.

VII. *Hitler over Europe*

Riding this nationalist-militarist tide of the history he thought he was making, was the most headlined name and most dreaded radio voice and most familiar front-page face of twentieth-century Europe. Now that World War II has passed, leaving 22 million corpses in a Europe of rubble, what is there to say about the mentality behind the little moustache and forelock, the mentality that unleashed the greatest catastrophe ever recorded? What can the historian say, or the moralist, or the psychologist, or each bereaved mother, except some futile understatement?

This lower-middle-class Siegfried with the grand-opera rhetoric wanted so terribly hard to be considered respectable. And tried to achieve respectability by conquering the world. And in the process passed out of the category of " humanity ", as defined before the ethical revolution, and instead became a monster, a respectable, patriotic, petit-bourgeois Corporal of monsterdom, murdering more human beings more sadistically than any other tyrant in history. And then pulled down half of Europe to be a quilt for his deathbed, as in the *Twilight of the Gods* of his beloved Richard Wagner. And in every minute of the dozen years of what he called his " thousand-year

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Reich", was the most ignorant and surly slave of slaves; the cast-off waste matter of the industrial, territorial, and ethical revolutions; the casual blunt weapon snatched up for suicide by that "European History" in which he had received a grade equivalent to "C minus" in 1905 in a peaceful provincial school in Steyr.

During 1940-43, Nazi Germany and its Fascist Italian satellite ruled all Europe from Norway's Arctic Circle to the Sahara side of the Mediterranean, from England's French "Sleeve" up to the Volga River's little-known outpost of Stalingrad.

Up to Stalingrad! But Stalingrad is a time as well as place. In 1944 at Stalingrad, the Russian periphery replaced the German center as the first power in Europe. Like Versailles in January 1871, Stalingrad in 1944 is both a time and a tide, the beginning of a third surge over Europe.

VIII. *Russia over Europe*

As seen earlier, Europe's first great tide of troop movements was from periphery to center. This was the thousand years after Charlemagne. The second tide was from the German and Italian center outwards. This was the three quarters of a century that saw the aggressions of Bismarck and of the recent Rome-Berlin Axis. Today Europe's third tide is moving from east to west. This has been by Red Army since 1944; also by threat and political infiltration since 1945.

"Tides" is a metaphor. It can be misleading if taken literally. It should not be taken to mean some irresistible force of nature that denies man free will and personal responsibility. It should not be taken to mean inevitable determinism. There is no such thing as a "wave of the future" (to use the phrase by which American isolationists described the Nazi tide during World War II). The great historic tides here considered were, and are, not geological but human forces. This gives them all the unpredictabilities of human nature. Such historic tides, after sweeping everything before them, are sometimes halted by some forgotten human factor.

The human factor may be sheer luck. It may be unexpected dissension among the victors. An example was the sudden

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death of the Great Khan. As Churchill hopefully pointed out in a public speech in Cambridge, Massachusetts, this death halted unexpectedly the medieval Tartar conquest of Europe. But though luck is ever welcome, it can never be a basis for sober calculations of Western policies against the third tide.

The human factor may be something more solid than luck to build policies on. It may be moral qualities of character: courage, lofty vision, dedicated ingenuity, passionate love of freedom. "Character is destiny." An example of character versus brutal force was England's successful resistance against odds to the German tide in 1940. Another example was West Berlin's resistance to the Russian tide during the American airlift of 1948. The former resistance was under the Conservative prime minister, Winston Churchill. The latter resistance was under West Berlin's socialist mayor, Ernst Reuter. Passionate love of freedom and courage against tyrants are nonpolitical,. human qualities. They cut across class lines and across the outdated party lines of "Right" and "Left".

It is too early to say whether England in 1940 and West Berlin in 1948 are exceptions or the rule, in confronting contemporary totalitarianism. Not every resistance to overwhelming tyranny in the years ahead can expect to be as successful as the Athenian stand at Marathon in 490 B. C. and the American stand at Korea in 1950 A. D. But fatalism is always fatal. Resistance at least means hope. Such grim hope, against the numerically superior tide of the Red Army, is offered in the 1950s by the triple shield of the Truman Doctrine, the Marshall Plan, and the Atlantic Pact. The first is the political shield of the West against Communist assault. The second is the economic shield. The third is our military shield.

The "other side" has its nonmaterial, nonmilitary appeal also. The Soviet appeal is not only its vast resources, not only its vast man power. Hitler's National Socialism, in contrast, had no popular appeal outside Germany. Its "socialist" half was never taken seriously among the masses abroad. Yet in 1951 the equally bogus "socialism" of Stalin's equally "fascist" police-oligarchy was still being taken very seriously indeed by the voters of Western Europe. It won almost 37 per cent

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of the Italian vote in the May elections of 1951. It won 26.5 per cent of the French vote in the June elections of the same year: the largest percentage of any single French party.

Hitlerism had only a home appeal. This makes Russian communism the more malignant ideology abroad. Its double appeal woos millions of Asiatics and West Europeans today by promising socialism, while wooing Russians by a more-than-tsarist imperial expansion. Ideologically the strength of the third tide is its synthesis of the two most appealing secular religions of the post-1870 epoch: blood-and-iron nationalism; blood-and-iron socialism.

Such double psychological seductiveness, plus atomic and industrial power, plus three hundred potential infantry divisions, make National Bolshevik Russia the most dangerous aggressor in all history. The so-called "Union of Socialist Soviet Republics," is the final, complete fulfilment of the catastrophe of 1870-1952: Europe's revolution in values.

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THE STRUCTURE OF NATIONALIZED ENTERPRISES IN FRANCE

General Principles

WHILE British post-war nationalization appears at first sight to have followed, on the whole, a few general principles of organization with slight variations in detail, France has developed and maintained an almost bewildering variety of patterns. No wonder that efforts at unification so far have been without success. One intention, however, is common to both countries: the rejection of nationalization through *étatisation,* in particular the administration of nationalized industries as a governmental department. Whether and to what extent this objective has been attained will be discussed below. But the intention is clear from the public and private utterances of the political and trade-union leaders in both countries.*

In France the unions which were the main driving force behind the nationalization program defended the " anti-etatistic " ideas under the slogan of the " industrialized nationalization ". This term was adopted by the C.G.T. (*Confédération Générale du Travail*) as early as 1920 to characterize the intention of keeping the state as far as possible out of the control of nationalized industrial enterprises.

The British device has been the public corporation. It constitutes a separate entity, administered by a board of management, appointed and not elected, whose powers and duties are determined by law. This form of public enterprise evolved after a long experience in which various other forms had been used such as that of the Post Office, the municipally owned enterprises, joint authorities—where more than one municipality

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is involved—and the partly elected, partly appointed boards such as the Port of London Authority. In establishing the public corporation " the aim was to combine the advantages of private enterprises with public responsibility; to escape the dangers of bureaucracy by embracing the flexibility of commercial operation." [1] Its supporters quote President Roosevelt's definition of the Tennessee Valley Authority as " clothed with the power of government but possessed of the flexibility of private enterprise."

French nationalized industries, on the other hand, range from pure government departments and " mixed enterprises " to the French counterpart of the public corporation, the *établissement public à caractère industriel et commercial*. Some of the armaments factories nationalized before World War II are administered as government departments. The aircraft construction plants and the railroads are mixed enterprises combining private and public share capital. Coal, banks, insurance, gas, electricity, Renault, are public corporations. This last form has gained greatly in popularity since World War II, while the mixed enterprises, as well as the administration by a supervised private enterprise (*concession* in France, roughly corresponding to the " public utility " in the United States), have lost in favor.

In some cases—coal, electricity, gas—the nationalized enterprises hold a near-monopoly or full monopoly. In others—banking, insurance—they control the largest part of an industry, but a substantial private sector continues to exist. In still others, as for example the automobile industry, public enterprise competes with a number of privately owned undertakings.

To this diversity corresponds that of legal forms. In banking and insurance, the former legal structure of the individual enterprises was maintained, but the state became the owner of all shares. For coal, gas, electricity, the formula applied was similar to the British. The existing enterprises were dissolved and replaced by a new establishment—or a small group of undertakings, as in the case of coal—uniting the entire industry in an effort aimed at concentration and " rationalization ". For

[1] Ernest Davies, *National Enterprise: The Development of the Public Corporation* (London, 1946), p. 23.

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the Renault automobile factory a special solution was found; a new organization, the *Régie Nationale des Usines Renault*, was set up, which is in fact the same business as the former *Société Anonyme des Usines Renault*.

The Unit of Management

While the question of centralization in the administration of the nationalized industries has been widely discussed in Britain, it has played a rather minor part in French public opinion. This may be a result of the fact that, on the whole, the outward forms of administration are less centralistic in France than in Great Britain.

This is particularly obvious in the case of coal mining. Compared with the British system, French coal mining is more decentralized. There is a central organ, the *Charbonnages de France*, which must establish the program for the development of production, propose price policies, provide for financing of equipment, direct technical research and professional training and—through a "compensation fund"—provide for the financial equilibrium of the different coal fields. Actual production, however, is in the hands of nine distinct organs, the *Houillières de Bassin*, set up on a geographical basis. To assure the necessary coöperation between these operating agencies and the central board, two devices have been employed: the presidents of the boards of the *Houillières* have the right to take part with consultative status in the meetings of the central board, while the latter is in turn empowered to send six full delegates to each of the boards of the *Houillières*.[2] Ideally this assures at the same time a high degree of autonomy in the day-to-day operations of the different coal fields with their tremendous diversities, and the necessary over-all coördination.

In transportation, there is no French counterpart to the British Transport Commission which administers all kinds of transport services, railroads, canals, docks, harbors, road (goods and passengers) transportation, London transport, and a number of hotels. In France only Parisian transport services and the railroads are nationalized, the latter in the form of a

[2] Law of May 17, 1946, Arts. 3, 4, 21, 22.

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mixed enterprise, with public and private shareholders. But there is one essential difference: although a general shareholders' assembly is held every year at which representatives of the state and of the private shareholders are present, the board is not elected by the shareholders' assembly. It consists of representatives of the state, of the private shareholders and of the personnel nominated by the unions. The general director is appointed by the chairman of the board with the approval of the minister.[3]

Electricity supply and distribution is similarly set up in France and Britain. In both countries there is a national board —the British Electricity Authority and the *Electricité de France, Service National*—and under them regional organizations for the distribution of electrical energy—area boards in England, *Electricité de France, Service de Distribution,* followed by the geographic designation of the area. This apparent similarity, however, disappears upon closer examination.

The French *Service National* has exclusive competence only for the transportation of energy; but this is the decisive link in the chain, since the development of hydroelectric power plays a large and increasing part in a country which is not too richly endowed with satisfactory coal supplies. As a result the producing areas in the mountains are widely separated from the main consuming regions. Moreover, hydroelectric energy production tends to have considerable seasonal variations in output, the timing of which is not the same for the various producing regions. Thus, interconnection of the various energy plants and transmission of energy have to be provided for on a national scale. Production itself is left to "at least six sectors which shall under the direction of the *Service National* study, carry out and exploit the means of production of electricity."[4]

As to distribution, the law specifies that the board of each organ of regional distribution will be appointed by the *Service National* and must include four representatives of the *Service National* among the eighteen members of the board. Moreover, the director of each distribution service, though appointed by

[3] Jean Rivero, *Le Régime des nationalisations* (Paris, 1948), No. 28.

[4] Law of April 8, 1946, Titre Ter, Art. 2. Rivero, *op. cit.*, No. 517A.

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the regional board, needs the approval of the *Service National*.[5] Thus, the *Service National* has considerable influence upon the regional distribution services. In this way, France has tried to solve the problem presented by the—more apparent than real—dispersion of the industry in many enterprises and by its slow development in certain regions. There were 2,378 enterprises dealing with the production, transmission and distribution of electricity, but in fact a small number controlled all the rest; thus one firm dominated in Paris, another in Lyon, a third one in Marseille, and so on. This, together with the fairly strict supervision of these enterprises by public authority, facilitated nationalization.[6]

In the gas industry nationalization followed the same form as in the case of electricity. For some time, indeed, the administration of gas was in the hands of the authorities of the electricity industry. But the law provided—against the original government proposal—for a separate organization of gas under a central board and regional services, stating specifically (Art. 20) that the board members and general directors of gas must be different from those of electricity.[7] Only in financial matters was a connection established through a joint *Caisse Nationale d'Equipment*, an investment fund. In actual fact, however, the two industries were so closely interwoven that separation became difficult: of 264 enterprises distributing gas, 160 also distributed electricity; in 394 towns the two services were combined. An agreement concluded on May 15, 1946 between gas and electricity directors, therefore, entrusted the latter with the administration of both enterprises. It was only as a consequence of a new law on January 1, 1949 that the separation of the two enterprises was undertaken. But, even under the new system, some combined organizations of gas and electricity continue to exist.

The French nationalization laws concerning banking and insurance distinguish among the banks and insurance firms ac-

[5] Art. 22, Law of April 8, 1946.

[6] La Documentation Française, *Les Nationalisations en France et en Grande Bretagne* (1948), p. 12.

[7] Law No. 46-628 of April 8, 1946 on the nationalization of electricity and gas.

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cording to size, nationalizing the larger ones and leaving the smaller ones to private enterprise. Moreover, certain regulations have been established for the entire group. Thus all banks, whether nationalized or private, are subject to the action of the National Credit Council (*Conseil National du Crédit*) which is a policy-making body, and of the Control Commission (*Commission de Contrôle des Banques*) which is a supervisory organization. With regard to the four large deposit banks which are nationalized—*Crédit Lyonnais, Société Générale pour favoriser le développement du commerce et de l'industrie en France, Comptoir National d'Escompte de Paris, Banque Nationale pour le Commerce et l'Industrie*—the Control Commission performs the functions of the shareholders.[8] These four banks continue to exist as individual entities under individual boards whose composition is prescribed by the law.

A somewhat parallel arrangement has been made for the insurance companies. Only thirty-four of the roughly one thousand insurance companies operating in France have been nationalized, namely, those whose turnover was more than about 700 million francs a year. All insurance companies, however, whether nationalized or private, are under the control of the National Insurance Council (*Conseil National des Assurances*), a policy-making and supervisory agency, and of the Central Reinsurance Fund (*Caisse Centrale de Réassurance*) which enforces the policies laid down by the Council and is the compulsory reinsurance agency of all nonnationalized enterprises up to 4 per cent of their premiums. The Council acts as the shareholder of the nationalized companies. Each of these has its own board, but the president of the board who is at the same time general director is appointed by the Minister while in the nationalized banks this appointment is made by the board.[9]

[8] These four banks are described in the *exposé des motifs* of the government as having a network of agencies covering the entire country—all together 1,852 of them—and deposits amounting on August 31, 1945 to 55 per cent of all bank deposits in France. George Thomas in *Les Nationalisations en France et à l'Etranger*, Juilliot de la Morandière and Byé, ed. (Paris, 1948), p. 150.

[9] There does not seem to have been any reason for this difference. Rivero (*op. cit.*, No. 484) explains it "by the haste of the work of the legislators."

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A peculiar case is that of the *Régie Renault* in which a single enterprise has been nationalized as a punitive measure against the owner because of collaboration with the enemy. The unit of management in this case coincides with that of the former private enterprise. The authority of the state over the enterprise is extremely strong, however, although in appearance the *Régie Renault* is very similar to any privately owned share company. The president who is also general director is directly appointed by the government. There is a board whose composition is set in detail by a decree,[10] but it has mainly advisory functions. Since the general director who alone has power of decision on most matters is subject to dismissal by the government at any time,[11] it is the government which in the last resort administers the enterprise.

The Boards

To be realistic, a discussion of the actual administration of nationalized enterprises in France must take into account the profound differences between the administration as set up by law or decree and the one that in fact operates.

The ideal scheme of the top administration as advocated by the French unions is that of a tripartite council of part-time administrators representing the state, the consumers and the employees—the last through their unions. The board elects the president-administrator with the approval of the corresponding council. In the different nationalization measures, however, many variations have been introduced into this basic pattern without any clear justification.

Great diversity exists in the legislation with regard to the method of selection of the workers' representatives on the boards. To give a few examples: In Renault the 6 workers' delegates (out of 15 board members) are appointed by the Minister of Industrial Production from among the members of a Works Committee, the *Comité Central d'Entreprise*, which is elected by the employees. In the aeronautical firms, S.N.E.C.M.A., the 3 workers' delegates (out of 11) are ap-

[10] March 7, 1945, Art. 3. Rivero, *op. cit.*, No. 432.

[11] *Ibid.*, No. 427.

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appointed by the *Comité d'Entreprise.* In the Commission for the Control of the Banks the one workers' delegate (out of 5) is proposed by the most representative federation of bank employees.[12] However, on the boards of the individual banks the employees have 4 out of 12 members; one of the 4 represents the higher grades, one the lower ranks, of the employees of the particular bank, 2 are proposed by the two most representative trade-union confederations. For gas, electricity, the *Charbonnages* and the 9 *Houillières de Bassin,* the workers' delegates (6 out of 18 except for the *Houillières*: 7 out of 19) are proposed by the most representative unions.[13]

No clear reasons are given anywhere for the discrepancies and variations. It seems likely that they were due more to accidents of the parliamentary discussion and to the haste of the preparation of the texts than to any plan.[14] It is, therefore, extremely difficult to find common traits and to make generalizations. Perhaps the only ones that can be established—subject to many reservations—are these:

(1) According to the text of the laws the boards have typically the following functions: they make purchases and sales, borrow, hire and fire, determine wages and salaries, fix the administrative budget, make production plans, allocate sums to reserve funds, determine the use of disposable funds. They need the approval of the minister (or ministers involved) for the following decisions: delegation of powers to the general director, equipment and production programs, fixation of the budget or changes in it, profit and loss statement and balance sheet (including depreciation rates, allocation to reserves), issue of bonds with five-year maturity or longer, purchase or sale of financial participations, general rules on wages and working conditions for the personnel. On a number of these questions the Minister of Finance, in addition to the minister to whose

[12] Regarding the concept of the "most representative" union see my essay on "Collective Bargaining in France", *Industrial and Labor Relations Review,* vol. 4, No. 2, Jan. 1951.

[13] On the board of the *Charbonnages* two further union delegates appear as consumers' representatives. See *infra,* note 23.

[14] *Cf.* Rivero, *op. cit.;* see *supra,* note 9.

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competence the particular industry belongs, has to give his approval.[15]

(2) Interest groups are represented on the boards in proportions which are variations around the basic principle of the tripartite board. The members are appointed for a determined period; for the *Charbonnages* and *Houillières* this was originally a six-year period which was later reduced to three years.[16] The appointment is made by the competent minister upon recommendation of the interest groups concerned (or—for the government representatives—of the government departments involved). In the case of Renault the workers' representatives are appointed by the minister from among the members of the Works Committee.

As to their recall, there exist considerable differences among the various nationalization measures. For electricity and gas, the recall by the interest group which nominated the particular member is excluded. The members can be recalled only by that body which has to approve the work of the particular board. Thus, for the board members of the distribution services, the boards of *Electricité de France* and *Gas de France* are competent. These higher boards must order the recall of all members of a board whose administration has produced a deficit at the end of a fiscal year, unless a specific decision to the contrary is taken by the board of *Electricité de France* or of *Gas de France*. By a queer oversight, the law has neglected to state who has the competence to recall the board members of *Electricité de France* or *Gas de France* themselves.[17] An entirely different formula has been applied for the coal industry. The interest groups have the right to ask for the recall of their representatives, but they must state the reasons. The board member may answer in writing. The minister is free to decide; the recall must take the form of a decree voted by the government (*Conseil des Minis-*

[15] This list is based primarily on the enumeration of the functions of the boards of the *Houillières* in Arts. 13 and 14 of the Decree No. 47-156 of Jan. 16, 1947. Reasonably similar functions are allocated to the boards of other industries, but for Renault the board has only advisory functions.

[16] Decree of June 12, 1947, Art. 2.

[17] Rivero, *op. cit.*, No. 562a.

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tres). In the case of a serious fault on the part of board members, the procedure is similar to that of *Electricité*: the higher board may recall the member of the lower board; and for the board members of the *Charbonnages*, the Prime Minister has this right upon request of the competent ministers (coal mines, National Economy, Finance).[18] Total recalls are provided for as in the case of *Electricité* and *Gas*, but also by decision of the government as a whole (*Conseil des Ministres*) if after warnings the board fails to carry out its duties, "particularly by not securing the production necessary for the needs of the national economy."[19] A legal appeal procedure against recalls is provided for. No proviso for the recall of board members of banks or insurance has been made by the legislators.

(3) The board members are carrying out their functions part time and have no salary; they are paid a modest fee for participation at meetings. They cannot be members of parliament. Former members of the government cannot be board members within five years after their resignation from office. They must be free from the influence of interest groups which they are not officially representing on the board.[20]

In actual fact the boards have not played the part which the law and the idea of the "industrialized nationalization" allocated to them. In the case of the Renault factory the rôle of the director has been emphasized by the nationalization decree itself, at the expense of the board. In coal, gas, electricity, the power of decision seems to rest less with the boards than with the directors and even more with the government departments

[18] On this basis board members of the *Charbonnages* and *Houillières* have been dismissed because of their participation in a strike in the coal mines during which the striking miners refused to continue to operate the safety devices. *Cf.* Decrees of Oct. 29 and Nov. 10, 1948; Rivero, *op. cit.*, No. 683.

[19] Arts. 7 and 8, Decree of Jan 16, 1947.

[20] For Renault it is expressly stated that the board members are paid only attendance fees (*jetons de présence*) (Art. 5, Decree of March 7, 1945). In the banks and insurance companies, the model is the private share company where the shareholders' assembly determines the fee. Nothing is stated for gas and electricity. For coal, it was originally specified that no compensation would be paid; this was changed (Decree of June 12, 1947) to attendance fees the amount of which would be determined by the ministers.

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under whose competence the industries fall, particularly the Minister of Finance. The degree of autonomy which the nationalized enterprises were to enjoy has, in fact, been greatly reduced.[21]

This development, which contradicts to a large extent the entire philosophy upon which the "industrialized nationalization" was based, has a number of causes. At this stage it may be sufficient to anticipate the result of the examination of the boards' weaknesses and to point out that the boards cannot do more—at the best—than settle some of the high-policy questions that may come up from time to time. Even within this limited field of action they will depend greatly upon the advice of those familiar with the problems of the industry; that is, of persons devoting themselves full time to the industry. But it is precisely in these high-level decisions that, as we shall see, government and parliament have assumed far-reaching powers. Squeezed in between the permanent staff of the industry and the government, the boards have lost most of the powers which, according to the program of the "industrialized nationalization", they were supposed to have. In effect, the power of decision is concentrated in the hands of the ministers or of a small number of civil servants.

The Directors

In fact, therefore, a large part of the top-level administration is in the hands of general directors who sometimes combine in their person also the office of president of the board. Where the two offices are separated, the president of the board may have added functions or enhanced status with regard to the other members of the board.

Once again we are confronted with a variety of administrative solutions the reason for which is not always easy to understand. The functions of president and general director are combined in one person in the Renault works and the insurance companies. They may be combined in the banks. They are separate for electricity, gas and the mining industry. The

[21] Rivero, *op. cit.*, No. 756, 588-83.

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presidents (or president-general director) of Renault and the insurance companies are appointed by the minister, but elected by the board in the case of the banks. They are also elected by the board members of the *Electricité de France* and *Gas de France*, as are those of the distribution services of the two industries, although in the latter case the law is silent. In the *Charbonnages* the board elects a president and two vice-presidents, while in the *Houillières* the boards elect only a president. The typical functions of the presidents are described as those of their counterparts in private enterprises, but, since the government has actually retained or acquired far-reaching power, the presidents have in fact shared in the decline of the boards' influence.

The position of the general director is far more influential. He is a full-time official paid at rates which are on the whole attractive, according to French standards, although they vary a good deal. As a result of the weakness of the boards, the general director carries in effect most of the responsibility, not only for the execution of the board policies, but also for the policies themselves, to the extent to which ministerial and parliamentary control leaves the boards latitude of decision. In Renault, he is appointed by government decree and has power of decision since the board—whose president he is—has only advisory functions. The main restriction on his power is—apart from governmental instructions—that, in case of conflict between the general director and the Works Committee, the Minister of Industrial Production has the right to decide. In the banks, the general directors are elected by the boards while in the insurance companies they are appointed by the Minister of Finance upon the advice of the boards. For electricity and gas, a distinction is made between the general directors of the *Service National* and the distribution services. The first are appointed by the entire Cabinet (*Conseil des Ministres*) on recommendation by the board; they must be experts, that is, they cannot be one of the members representing interest groups on the board. The general directors of the *Services de Distribution* are appointed by their boards with the approval of the corresponding *Service National* who also determines their salary. However, in the coal

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mines the general director of the *Charbonnages,* and those of the *Houillières de Bassin,* are appointed by the ministers. Once again, no reason for these variations has been stated.

The Board—Critique

There is little room for doubt that the French board " is the weakest feature of the French legislation and is a threat to the successful operation of the French nationalized industries." [22] Part of the reason for this is the structure of the board; part is the political circumstances under which the boards operate; and the remainder of the weakness comes from the economic and financial conditions in which the nationalized industries were placed.

The tripartite organization of the French board is a main source of weakness. It transfers bargaining and negotiation to a body which ought to be united in purpose and have a consistent policy. Compromises between interests are inevitable in any arrangement; but when they become the main substance of activity, one is confronted with a legislative rather than an executive organ. Moreover, it is not reasonable to expect that unpaid part-time board members—who, in practice, it seems, meet for a few hours every month—can in fact control the fate of large and complicated enterprises.

It is clear, furthermore, that the main loyalty of the board members, who represent interest groups, must be with those rather than with the enterprise. Not only do they derive their income and their board position from these interest groups, but they also devote most, if not all, of their time and attention to them. Nor can the civil servants on the boards be expected to have any detailed knowledge of the enterprise, although they may serve as useful communication channels between the government and the enterprises.

In actual fact, however, the boards were only rarely tripartite in the strict sense of the word. Trade-union representatives appeared on the boards under the guise of consumer and government representatives as well. To a certain extent this was a

[22] William A. Robson, " Nationalized Industries in Britain and France ", *American Political Science Review,* June 1950, p. 317.

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weakness contained in the very conception of the laws. In the absence of strong consumers' organizations in France, Parliament substituted in some cases trade-union representatives who were supposed to defend consumers' interests. Thus Léon Jouhaux, president of the non-Communist Trade Union Confederation, *C.G.T.–Force Ouvrière,* serves on the board of *Charbonnages de France,* not as a trade-union delegate, but to represent consumer interests.[23] This is an obvious mistake: trade unionists even if not members of the particular union represented in the industry are not advocates of consumers' interests. Léon Jouhaux whose confederation is engaged in a bitter competitive struggle with the Communist-led C.G.T. for the organization of the miners cannot reasonably be expected to be more concerned with low prices of coal for the benefit of the consumer than with the advantages which he might be able to obtain for the coal miners, although these advantages might be at the expense of the consumers.

Moreover, the French trade unions have been conspicuously successful in organizing the civil servants. Indeed the *fonctionnaires* form one of the strongholds of the trade-union movement. As a result at least some of the government representatives on the boards are likely to be trade unionists.

The actual appointments, however, did not always correspond in any real sense to the meaning of the law, with the result that the boards were often very far from reflecting the tripartite representation intended by the law-makers. Thus trade-union representatives not only appeared as such, but were also appointed under the title of government and consumers' representatives even beyond the text of the law. As a result—to quote the most important but in no way unique example—of the eighteen members of the board in coal mining (*Charbonnages de France*) appointed by Marcel Paul, the Communist Minister of Industrial Production, fourteen were in fact trade unionists.

The result of all this has been described as a ball game in

[23] Art. 21 of the Law of May 17, 1946 provides that two of the six consumer members on the board be designated by workers' organizations. See *supra,* footnote 13.

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which the main trade-union *Confédération*, the C.G.T., appearing in the rôle of union, government and consumer representative, is throwing the ball in a three-cornered arrangement, always to itself.[24]

Whether this deformation of the tripartite principle has had any actual influence upon board policies is not quite clear. But at least the suspicion has been aroused that the somewhat unusual advantages granted to the miners and the workers in gas and electricity might be *partly* explained by the preponderance of trade unionists on the boards of these industries. Protests against this abuse of the legislation caused Marcel Paul's successor as Minister of Industrial Production, the Socialist Robert Lacoste, to introduce a number of changes in the methods of designating the members of the Council. A decree of June 12, 1947 has attempted to make impossible the overrepresentation of one interest group on the boards by providing that "every member of the board must present full guarantees of independence with regard to the categories of interest which he is not instructed to represent." This has been implemented so far for the top organization of the coal mines, the *Charbonnages de France*.[25] But this principle has a double disadvantage: it emphasizes even more than the nationalization laws themselves the idea that the board members are there to defend sectional interests "whose sum is not necessarily the interest of the enterprise,"[26] and it is very difficult to enforce. How (and why)

[24] See an anonymous article: "Le tripartisme et l'administration des entreprises nationalisées" in *Economie Contemporaine*, Centre de Recherches et de Documentation Economiques, April 1948. So powerful is the influence of the tripartite formula in France that, after a searching criticism of the effects of its application, the author resigns himself to the statement that "it will perhaps be impossible, now that the rule of tripartism is in force for the appointment of board members, to abandon it." He proceeds then to make reform proposals to reduce the admittedly bad consequences of the system. See also Bernard Wilmet and Maurice Faber, "De la Société Anonyme a la Régie Nationale des Usines Renault", *Economie et Humanisme*, No. 33, 6th year, Sept./Oct. 1947, esp. p. 515.

[25] The "Rapport d'Ensemble" of the Commission de Verification des Comptes des Entreprises Publiques (*Journal Officiel*, Aug. 21, 1949), describes the reform as far as the *Charbonnages de France* is concerned. See page 375, column 1 of the report. Rivero, *op. cit.*, No. 679, p. 45.

[26] Rivero, *op. cit.*, No. 679.

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should one prevent the representatives of, say, the workers from taking the side of the general interest of the enterprise or the trade unionist who is instructed to defend the consumers' interests from siding with the workers?[27] Even if this problem could be successfully solved, it would still leave intact the congenital weaknesses of consumer representation and of the union loyalties of the government delegates.

In fact, therefore, the boards are in most cases consultative bodies with little real responsibility for the life of the enterprise. It is true that the interest groups only propose their representatives, while the actual appointment is made by the minister in charge, and that nothing in the text of the laws would prevent the minister from rejecting a particular name and asking for another nomination. But this is a somewhat theoretical possibility. In actual practice the minister controls only the appointment of the government representatives, who are in a minority on the boards. The organizations to whom the law gives the right to propose members have the decisive voice in their selection.

This may explain such incidents as that of July 1946, when the board of the *Charbonnages de France* declared that it was possible to increase wages by 25 per cent without increasing the price of coal. About the consequences of this recommendation the report of the *Commission de Verification des Comptes des Entreprises Publiques* has this to say:

> The need for an increase [of the coal price] was recognized only as a result of the work done by a Commission which was later set up and this increase became effective only on January 1, 1947. The granting of a subsidy of 6,130 million francs was the consequence of this serious error which has been investigated by another commission appointed by the Prime Minister in order to reveal those responsible for it.[28]

This may be described as a case of what is called in American politics, "logrolling". The consumer representatives support

[27] A decree of Nov. 25, 1950 extended this principle to the *Houillières*. *Cf.* "Deuxième Rapport d'Ensemble" of the Commission de Verification des Comptes, *Journal Officiel*, Jan. 26, 1951.

[28] *Journal Officiel*, Aug. 21, 1949, p. 372, 3rd col.

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the wage demands of the workers whose delegates in return support the consumer representatives in urging that prices not be raised. The resulting deficit will be at the expense of the taxpayer—whose representatives, presumably the government delegates on the board, are in a minority.

The call for the appointment of experts to the boards—which would, in effect, add a fourth category of members—has its origin in the hope that the technicians might avoid such combinations. Whether such independent experts can be found in sufficient number and with sufficient authority remains an open question. The unions have rejected this proposal because they fear the return of the former owners and managers in the guise of " nonpolitical experts ".

One of the main purposes of the " industrialized nationalization " formula was to prevent the " politisation " of nationalized enterprises. In fact, the system has led exactly to the dreaded result. In a certain sense this was inevitable. Public life in France is so highly " political " that it would have been impossible, under any system, to prevent politics from entering the administration and policies of public enterprise. The " expert above politics " is a rare phenomenon in France and, if he were found, he would probably be criticized precisely on the score of being nonpolitical. In addition, the very same social forces which made for the nationalization of substantial parts of the French economy ensured that the positions were put at the service of political organizations. This applies particularly —but by no means exclusively—to the French Communist party. The commanding positions in a number of industries which Communists did obtain in the first two post-war years were for the Communists mainly strategic positions; their real importance was less in the power they gave to the Communists to influence the development of the nationalized enterprises, but rather in the possibilities which they ensured of expanding Communist influence and of counteracting undesirable government policies.

The parliamentary situation after the war greatly favored the Communist strategy. As the strongest single group in parliament—from November 1946 on—they were represented in the governments of post-war France until May 1947. Since De

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Gaulle preferred to keep the Communists out of the "key" ministries—War, Foreign Affairs, Interior—they filled most of the important economic positions. During the First Constituent Assembly, 1945 to June 1946, the Communists held among others the Ministry of Armaments (Charles Tillon), the Ministry of Reconstruction (François Billoux), the Ministry of Industrial Production (Marcel Paul), the Ministry of Labor (Ambroise Croizat); in addition the Communist, Auguste Lecoeur, was Under-Secretary for Industrial Production in charge of coal mining. The party held the same positions during the Second Constituent Assembly (with the addition of one Under-Secretary each in the Ministry of Labor and in that of Armaments). It was only in January 1947 that it lost some of these positions, and was forced out of the government altogether in May 1947. Since most of the original appointments to the boards of the nationalized industries were made before this date, they were made by Communist ministers. Moreover, the Communists controlled throughout this period the largest trade-union confederation—the C.G.T.—which gave them additional and large influence upon the selection of the personnel of the boards.

The result was that a number of the nationalized industries were Communist-controlled. This was true particularly for the coal mines and for aircraft construction.[29] It would require a good deal of space to describe in detail the methods used for the "politisation" of the enterprises. Two examples may be sufficient. Announcements of open jobs were placed exclusively in newspapers of the Communist party or friendly toward it; in one factory ten top administrators (including the chief of personnel) were removed and replaced by new men of whom at least seven were known members of the Communist party.[30]

It must be added, however, that the "depolitisation" since 1947 seems to have consisted mainly of a process by which Communists were ousted from leading positions and replaced by

[29] See in particular: *Rapport sur les Sociétés Nationales de Constructions Aeronautiques* par M. l'Inspecteur Général Pellenc, of Jan. 1948; *Rapport sur le projet de loi placant la Société Nationale d'études et de construction de moteurs d'aviation sous un statut provisoire en vue de sa reorganisation*, par M. René Pleven; doc. No. 4629, Assemblée Nationale, June 18, 1948; also, Wilmet and Faber, *op. cit.*, p. 515.

[30] Pleven, *op. cit.*, pp. 15-17.

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members of other political parties, mainly *Mouvement Républicain Populaire,* and partly Socialist. In other words, "politisation" of two colors has been substituted for "politisation" of a third color.

The financial situation of France after the war has, in effect, destroyed what little was left of the original idea of "industrialized nationalization". What small working capital the nationalized enterprises had to begin with vanished soon during the rapidly progressing inflation. Bank credit and government loans became indispensable. The large outlays necessary for the reëquipment and expansion of the nationalized enterprises could be financed only by the government. In turn the government exerted close control, depriving the boards of the last vestiges of their influence. Moreover, for a number of years the government controlled prices and wages. Thus little was left of the autonomy of the nationalized enterprises in France.

The Record

Production figures for the nationalized enterprises compare, nevertheless, favorably with those of privately owned industry. Indeed for the first two or three post-war years, the index of production of the nationalized industries—apart from the aircraft industry—rose more rapidly than that of the remainder of industry. This was a result partly of the large volume of investment made in the key industries—which are nationalized—and partly of the intensive production drive of the Communists until they left the government. The system has functioned—but it is not at all the system which the unions and the legislators intended. Not the boards, but competent civil servants, engineers and workers have jointly mined the coal, developed the production and distribution of energy, produced automobiles, run the banks and insurance companies. Once again, the French have shown their ability to overcome administrative difficulties which they themselves created—the well-known gift of the French *à se débrouiller.*

The aeronautical companies form the major exception in this picture. The difficulties of the aircraft companies—not only of the nationalized enterprises in the field—are largely attributable to the failure of the government—the largest single customer—

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to set up its own plans for development of an air force. Coal, gas, electricity, show rapid increases of output, surpassing during the first post-war years those of private enterprise.

Thus the output of coal, which had dropped from 46.7 million tons in 1938 to 33.5 in 1945, passed the pre-war level only one year later. After slight drops—caused mainly by large-scale strike movements in 1947 and 1948—output increased to 51.5 million tons in 1949 and roughly the same amount in 1950. During the first half of 1950, sales dropped, coal began to accumulate at the mines, and shorter hours were not infrequent. At the same time the ambitious plan of 1946 providing for an annual output of 73 million tons was revised downward to 63 million tons and even this figure was being questioned when the Korean crisis and the Schuman Plan profoundly changed the picture.

It is true that this rapid increase of output was produced by a vastly increased labor force (108,000 men in 1947 and 74,000 in 1938). Output for each worker at the coal-face had been 1,227 kilograms in 1938; in 1947 it was 958 kilograms, but rose rapidly after the great strikes of 1947 and 1948 and reached pre-war figures again in 1950.

Complaints about the output of electricity have been frequent. They are due, however, to a large increase in consumption as well as to the failure of hydroelectric plants during two consecutive dry years. Nevertheless, electricity production has increased from 19 billion kilowatt-hours in 1938 to 33 billion in 1950. For gas the level of output in 1948 was 41 per cent above that of 1938; an increase in the calorific content of gas in 1949 made up for a slight loss in quantity.

The financial record of the nationalized industries is uneven. Not only the aircraft companies, but also coal and gas have shown large deficits. In the case of the coal mines at least, the real deficits were even larger than the 7.5 billion francs shown for 1946-48 since depreciation allowances were underestimated. However, during the first post-war years the government controlled prices and wages, and in particular kept the prices of gas and coal at low levels. Moreover, inflation caused most nationalized enterprises to suffer from a shortage of working cap-

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ital which was frequently met by expensive short-term borrowing from banks. In the light of these facts, the responsibility of most nationalized enterprises for their financial record is severely limited.

Many of them apparently have been doing quite well. The banks, Renault, and electricity have shown profits. The accounts of coal for 1949 were almost balanced, even providing for reasonable depreciation allowances. The deficit of gas (and the railroads) can be wiped out if and when their prices are raised by a proportion comparable to the price increase of other goods and services.

All in all, this record is by no means unfavorable. Yet, the French " man in the street " seems convinced that the nationalized industries have been doing very badly. The major reason for this is a system of publicity, or rather lack of publicity, which makes it almost impossible for everyone to obtain a fair picture of the results of public enterprises. A veil seems to hang over their activities which is lifted mainly when there is a crisis of some kind. Then, a commission of investigation is appointed which reports on failures and shortcomings. The reports of the Commission for the Verification of the Accounts of public enterprises appear with great delay and, in spite of their excellence, are hardly noticed by the general public. Attention seems to be fixed on scandals, failures and deficits. In addition, the fact that the administration does not proceed according to plan, but rather in an improvised and unintended fashion, contributes to the public's confusion. Since public enterprises are supposed to be every citizen's property, is he not entitled to get accurate information on what belongs to him?

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FRANCO SPAIN: A REAPPRAISAL

FRANCO'S foreign policy has been one of the most effective the world has witnessed during this century. It should serve as a model for all small states trying to survive in today's Machiavellian world. During World War II Spain successfully played the Axis against Great Britain and the United States, selling profitably to both sides and avoiding invasion or reprisals by either. At war's end, convinced the cold war was only a matter of time, Franco continued the same game but against a new set of international rivals. Playing upon our fear of Russian communism, he led us from a position of open opposition to his régime to one of financial and military support —all in the span of five short years. And as yet he has done little in return save promise to spend some of our money.[1]

During the first four years of this period we were induced to follow a " do nothing " policy of watchful waiting. Translated into positive terms this meant that, perhaps without meaning to do so, we often ignored and thereby weakened progressive forces such as the democratic underground, the Republican Government in Exile and liberal Monarchists, while at the same time we continued, in effect, to support Franco. By so doing we lent succor to the Spanish Communists and suffered a severe blow to our prestige throughout the world by furnishing propaganda material to those who portray us as champions not of democracy but of reaction.[2]

Now United States support is becoming both more open and more positive, as is that of nearly all the West. Before the ap-

[1] An interesting explanation of Spain's foreign policy by a Franco spokesman is to be found in José M. Doussinague, *España Tenia Razón* (Madrid, 1950). See also *The Spanish Government and the Axis: Documents*, U. S. Department of State Publication 2483.

[2] For a somewhat different viewpoint see former Ambassador Carlton J. H. Hayes's recent book, *The United States and Spain* (New York, 1951).

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pointment of Stanton Griffis as United States Ambassador to Madrid, over twenty United Nations members had exchanged ambassadors with Franco since 1946, in direct violation of the diplomatic sanctions called for in the United Nations resolution of that year.[3] Following upon Mr. Griffis' appointment, the United States Senate—under the leadership of Senators McCarran and McCarthy—appropriated a sixty-two billion dollar "loan" for General Franco. Following this, negotiations were begun on a "Treaty of Commerce, Friendship and Navigation", and now a United States-Spanish military accord is in the making. Meanwhile a series of bank loans has been granted the Spanish dictator by the Chase National Bank, the New York City Bank, and the United States Export-Import Bank.

These events call for a reëxamination of the Franco régime and the socio-political forces supporting it. Is the Generalissimo's government "fascist"? How clearly antidemocratic is it, and how anti-American? How stable is it, how popular? The answers to these and similar questions lie in a correct appraisal of General Franco, his government, and the forces supporting his régime.

The Generalissimo

To understand properly the present Spanish régime, General Franco must be clearly distinguished from his two prototypes, Hitler and Mussolini. Franco undoubtedly has been deeply influenced by their experiences and doctrines, and he has used the ideas, trappings and devices of European fascism extensively. However, he is equally a product of Spanish history and of his

[3] The resolution called for United Nations members to recall their ambassadors and ministers from Madrid. It was finally resolved on November 4, 1950; meanwhile it had been ignored by most U. N. member states, including Britain and France. To show his gratitude, Franco proposed two ardent Fascists as his ambassadors to these latter countries. Fernando Castiella, Franco's nominee for the Court of St. James, is closely affiliated with the Falange, is an ex-member of the Blue Division which fought against the Allies during World War II, and was decorated by Hitler with the Iron Cross. When his appointment was rejected as an insult, Franco proposed a more "acceptable" candidate, the brother of José Antonio Prima de Rivera, father of Spanish fascism and founder of the Falange party.

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own religious and military training.[4] Thus, though General Franco is undeniably a convinced fascist, he must also be thought of as a traditional Spanish Army dictator, Spain's latest in a long line of Primo de Riveras.[5] He has adopted fascism for reasons of expediency as well as conviction.

Regardless of the similarity, or lack of it, between Francisco Franco and Mussolini or Hitler, one important difference should never be overlooked: the Italian and German rulers were popular with their people; Franco has never been.

At the end of World War II it was conservatively estimated by foreign diplomats that over 85 per cent of the Spanish people were against his régime in one degree or another. Since that time the opposition has become less bitter and violent, perhaps, yet real supporters of General Franco—as distinguished from those who merely tolerate him—are still a small minority.

Franco rules the country by the use of political bribery, armed force, terror and the thorough suppression of his opposition. His power rests upon a coalition of the elements that comprise the 15 or 20 per cent of the population supporting him: the Falange party, the military, the higher clergy, and a majority of the landowners and industrialists. (I say a majority because some of the Spanish upper classes are decidedly anti-Franco.) All these groups backing the Caudillo have differences among themselves—especially the Falange, Spain's fascist political party, and the Army. Nevertheless, they all are bound together by their common fear of another popular uprising and the loss of their privileges and security.[6]

[4] Francisco Franco's father was an admiral in the Spanish Navy. Franco graduated from the Spanish Military Institute at Toledo when he was only seventeen and has spent the remainder of his life in the Spanish Army. He is a devout Catholic.

[5] In the words of the U. N. Security Council Subcommittee appointed to study the Spanish situation: "In origin and nature the Franco regime is Fascist. . . ." Security Council Document No. 75, July 1, 1946, p. 2.

[6] This fact was recognized by Dean Acheson who, in explaining United States policy toward Franco Spain, declared: "The internal position of the present regime is strong and enjoys the support of many who, although they might prefer another form of government or chief of state, fear that chaos and civil strife would follow a move to overthrow the government." His letter of January 19, 1950, to Chairman Connally of the Senate Foreign Relations Committee.

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The Falange[7]

Of these pro-Franco groups, the Falange is the most distasteful. It is Spain's only legal political party and is undeniably fascist. Its strong inner core of young fanatics, many of whom were members of the infamous "Blue Division" which fought with the Germans during World War II, largely control the civil administration of the country. The party has about 100,000 paid officials, ranging from the heads of Spain's syndicates and the civil governors of the provinces, to secret agents and gangs of uniformed ruffians paid to "maintain order" and terrorize resistant elements of the population. The most loyal of the groups backing Generalissimo Franco, the Falange is also the most fanatically antidemocratic. It does not hesitate to use violence and would readily suppress the slightest attempt to oppose the régime. It is in many ways a carbon copy of Hitler's Nazis. The party receives an annual state subsidy amounting to over twenty million dollars, in addition to untold amounts received from the Spanish people in tribute. Every business organization, every worker and peasant—in fact it can be said practically every individual in Spain—pays fees, dues and taxes in one form or another to the Falange, apart from regular government taxes. In addition, Spanish subjects are obliged by law to work without pay for the party as part of their required "social service".

Through the party's control of patronage the most radical and antidemocratic elements of the population receive the government, syndicate, and other Falange-controlled jobs. Moreover, these positions number far more in the semi-totalitarian Spain of today than in most other Western European countries still laboring under post-war controls. Government graft has long been one of Spain's major problems, but the country today is gripped by a parasitical bureaucracy so corrupt as to make our spoils system and local political machines appear saintly in comparison.

[7] The following material regarding the Falange is based largely on information which the author is not at liberty to cite. An excellent report available to the public is B. Davidson's series of articles, "Spanish Journey", in the *New Statesman and Nation*, December 2-30, 1950.

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Besides maintaining "public order" and providing the personnel to man Spain's bureaucracy, the Falange runs the *Auxilio Social*, Spain's social welfare organization, and the *Frente de Juventudes*, or "Youth Front". It should be mentioned that both filled a deep-seated need in Spanish life, for organized youth activities have long been lacking. However, the good that has been accomplished is far overshadowed by the evil of fascist indoctrination. Spanish youth is still being taught daily the blessings of totalitarianism and the decadence, corruption and impotence of liberal democracy.

In its constant struggle for power with the Army and the other forces supporting Franco, the fascist party has not fared too well since the war. The Caudillo is quick to realize the loyalty of the Falange, however, and its importance as a check upon the power and ambitions of the Army. Consequently, Franco continues to appease the party by periodic pronouncements of his loyalty to fascism. The gist of his many recent statements is that, while Spain is opposed to communism, it must also hold aloof from the "errors" of Western liberalism. Typical is his statement that Marxism is "barbarous and cruel", capitalism "antiquated and unjust", and his own régime "human and social".[8]

The Army

Next in importance to the Falange (ignoring Spain's numerous police organizations) are the officers of the armed forces—principally the Army. The country is practically in a state of martial law. Under the Franco régime, the officers have gained more in profit and prestige than ever before in Spain's recent history. Of the total expenditures of the state, well over 50 per cent annually go to "defense".[9] Of this amount three fourths or more goes to the Army, which has 20,000 generals and officers, one for every 20 soldiers. It is reputedly the largest army in Europe, outside Russia and Yugoslavia.[10]

[8] *The New York Times*, April 1, 1947, p. 16.

[9] See Spain's budget as reported in *ibid.*, January 3, 1951, p. 79.

[10] An excellent review of the character and size of the Spanish Army may be found in an article by C. L. Sulzberger, *ibid.*, February 7, 1950, p. 1.

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The rank and file of the Army and Navy are republican in sympathy, like their civilian counterparts. The younger officers, largely appointed since the Civil War, are reactionary and often Falangistas. But it is only *Los Generales*, the higher ranking officers, that at the moment have any political weight, and they are on the whole Monarchists. Because of this fact, the innumerable rumors and "oust Franco" tales that constantly float about Madrid's bars and embassies always have one note in common; that is, the generals will throw out the Generalissimo and return Don Juan to the throne. The names of the generals change but the story goes on just the same.

It should be made clear that any internal overthrow of the Franco régime will depend ultimately for its success upon the Army. A successful revolution requires mass discontent, organization, and military supplies. The Falange has the guns and organization but is loyal to Franco and apparently will remain so, having no one else to turn to. The Spanish people, on the other hand, surely would support a revolt but are poorly organized and do not have the wherewithal. Only the Army can qualify, and a successful military *coup d'état*, supported by disgruntled business men and monarchist landowners, is probably the way Franco will finally meet his downfall. This should be kept in mind by those who criticize our Spanish policy. Support of the Republican Government in Exile or other anti-Franco forces would prove fruitless without Army backing. Realizing the Army's power, the Caudillo has wisely maintained and strengthened the Falange, in the face of both internal and diplomatic pressure, by arming its more loyal members.

The mutual jealousy of the Army and the Falange is a well-known fact in Spain today. In spite of the Army's contempt for the fascist party, its leaders continue to support Franco because he has given practically carte-blanche authority to the military.[11] Consequently, *Los Generales* continue to do little more than swagger, complain, and childishly intrigue with

11 "Army officials now control public works, banks, entertainment, and many basic occupations in Spain's economy. . . . This has imposed a crushing burden upon the country's finances." *Hispanic American Report*, vol. III, No. 3 (March 1950), p. 4. This is a monthly review published under the direction of Ronald Hilton by Stanford University.

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henchmen of Don Juan, pretender to the Spanish throne. It is an old Spanish custom for Army officers to plot against the régime in power. Though only the generals could put an end to Franco's rule, they have not done so for one all important reason: an ever-present fear that the moment the terroristic régime of the Falange and Franco is gone, the underground will arise to wipe out every last remnant of the Franco order—which would most definitely include *Los Generales*. To this must be added the fact that world events since the war have induced greater loyalty to Franco than he might have otherwise.

The Church

The Church is less directly concerned with the general administration of the country than either the Falange or the Army. But though more in the background, its influence is greatly felt at all levels, and reputedly Franco, who is a devout Catholic, is greatly influenced by his religious advisers. From the outbreak of the Spanish Civil War in 1936 until the end of the war in Europe in 1945, the Spanish higher clergy was openly and wholeheartedly behind General Franco.[12] Soon after the end of the war, however, the Archbishop of Toledo, head of the Spanish Church, openly criticized the régime (in a speech which was only partially reported in the Spanish press).[13] The clergy then seemed to favor a gradual evolution of the régime which would do away with its more obnoxious fascist aspects. Shortly thereafter the raised arm salute was officially abolished, though it has the embarrassing habit of popping up, as for example upon the occasion of Eva Perón's visit to Madrid. As envisioned by the Church, the Falange would become a Catholic youth movement, and a new clerical authoritarian state somewhat on the order of Salazar's Portugal would result.

The Spanish Church has long been notorious for its reaction and has often openly resented the more liberal position of the Vatican. This aloofness to Franco on the part of the higher

[12] With one exception: Pietro Cardinal Segura y Saenz, Archbishop of Seville, who has repeatedly attacked the Franco order. He has declared that "the daily official wage does not meet the needs of the workers," who say that "in the past slaves were bought and now they are rented". *New York Times*, December 1, 1951, p. 14.

[13] A censored version appears in *ibid.*, September 3, 1945, p. 1.

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clergy immediately following World War II was undoubtedly due to the defeat of the Axis in Europe and the consequent democratic turn in the Vatican's policy. It represented a reluctant, feeble attempt on the part of the Spanish Church to disassociate itself from the Franco régime in the hope that it could somehow evade reprisals should the Caudillo be ousted. The higher clergy took as its example and guide the Italian Church, which weathered all storms upon the defeat of Mussolini. However, nothing is clearer than that the Spanish people, the majority of whom are still good Catholics and deeply religious, believe the clergy to be in definite alliance with Franco and hold the Church in contempt accordingly. Because of this, and with the horrors of the Civil War still fresh in its memory, the clergy continues to support Franco's government, even if less outwardly than previously.[14] It is perhaps needless to add that events since the war have strengthened the hand of the Church and have done much to cement the bond between Franco and Catholicism.[15]

The Landowners

The landowners, their titles and privileges restored and strengthened, their grip on the land and the peasant secure again, are Monarchists. A few—the lunatic fringe—are *Carlistas,* those rare individuals to be found in no other European country who want everything the way it was in the fifteenth century. They are honest reactionaries, advocating a return to absolute monarchy, preferably the " divine right " brand. They oppose the return of Don Juan to the throne and instead are loyal to the ancient Salic Law, insisting that the descendants of Don Carlos, brother of King Ferdinand VII, are the rightful pretenders to the throne. At present there are two Carlist contenders. The most important is forty-one-year-old Carlos VIII, an Austrian by birth, who has been living in Barcelona since

[14] It should be noted that during the series of general strikes that occurred throughout northern Spain in the spring of 1951, priests were reliably reported to have given open support to the strikers. The Catholic workers' weekly, *Tu,* was suspended for approving the Barcelona strike.

[15] See the report on the Spanish Church and its relationship in the Franco régime appearing in the *New York Times,* February 8, 1951, p. 9.

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1944. The other is Prince Xavier de Bourbon Parma, brother of the former Empress Zita of Austria. His mother has long been a recluse in a Quebec convent; the Prince himself lived in Philadelphia during World War II but has since returned to his permanent home in France.

The Carlists are of little or no political significance, except that Franco and the Falange do their best to keep alive Carlist differences with the less reactionary followers of Don Juan.

The majority of the landowners are, in theory and sympathy, for Juan. In practice they back the régime, fearing that if Franco goes they may follow. They are a proud and sentimental lot, and continue to pay lip service to Juan and dream of that never-never land where the King is on his throne, Spain is back in the good graces of the Western World, and political Rightists are always in power. Like the more cynical Army officers, however, those with any sense of political realism know that a constitutional monarchy which allowed such " nonsense " as open elections could lead to only one thing: a return of the Left to power, the loss of their lands and titles, and the probable restoration of the republic. They consequently frown upon Don Juan's periodic pronouncements to the Spanish people (obviously a play for moderate and Leftist support), which promise that upon his return elections will be held, political prisoners released, and civil liberties respected.[16]

With regard to Don Juan himself, it has been said that his greatest contribution to liberalism was sixpence, spent for a copy of the Beveridge Plan, which he probably never read. Until recently he had persistently refused to accept the throne as Franco's puppet, realizing that this would discredit the monarchy in the eyes of the Spanish people. Since the United States has changed its policy toward Spain, however, Juan apparently realizes that Franco is sure to remain Chief of State for some time to come. Early this year Juan reportedly wrote the Generalissimo that a restoration of the monarchy was feasible only " with Franco ".[17]

[16] See his " Manifesto to the Spanish People " (*New York Times*, March 23, 1945, p. 1), outlining his reform program. It is typical of the many others that appear periodically.

[17] *Ibid.*, January 15, 1952, p. 8.

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Following the defeat of Germany, when Franco's chances of remaining in power looked slim, he undertook prolonged negotiations with various of Juan's emissaries, hoping to strengthen his régime by restoring the monarchy, with Juan's son as his puppet king. (Juan had previously rejected Franco's offer to "educate" his nine-year-old heir, the Prince of Asturias, in the principles of Spain's "New Order".) When the negotiations failed, Franco decreed Spain a Kingdom (without a King) and established a "Regency Council" under his direction with power to choose a royal successor, who must be over thirty and swear to uphold the Franco order.[18] Juan's son would not be eligible until Franco was nearly eighty years old, a respectable age for any dictator to retire.

Meanwhile, the possibility of a restoration of the monarchy is complicated by the existence of so many candidates for the throne. Two lesser pretenders, Carlos VIII and Prince Xavier de Bourbon Parma, have already been mentioned.[19] Don Juan's main contender, however, is his older brother, Don Jaime de Bourbon, Duke of Segovia, a deaf mute. Don Jaime, the eldest son of the late King Alfonso XIII, renounced his rights to succession in 1933. His bid for the throne last year has thrown Spanish Monarchists into a turmoil, all the more because he has a claim to the throne that is prior to that of his younger brother, Don Juan, the most popular contender.[20]

The Business Elements

Unlike their aristocratic landowning brothers, the industrialists and commercial classes of Catalonia and Bilbao work for a living. This difference is reflected in their more pragmatic view of politics. They frankly do not like the open corruption, the bribery, and the government, party and syndicate meddling they must put up with. They are quick to recognize, however,

[18] The official text of Franco's decree appears in the *New York Times*, April 1, 1947, p. 16.

[19] The latter's supporters were jailed last year for demonstrating in his favor on the Feast Day of San Carlos.

[20] Don Jaime's belated bid for the throne is reportedly due to the ambitious prodding of his second wife, Charlotte Tiedeman. The situation is complicated, as Jaime's first wife Emmanuela—the only one recognized in Catholic Spain—is still living.

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that under Franco their profits have quadrupled, while the Falange keeps the worker in his place, insures low wages, and prevents strikes and unions. Compare this—granted the graft and red tape—with what they fear would result from a new popular front, and it is easy to understand why as long as Franco delivers the goods they continue to back him.

Thus the Spanish upper classes—fifteen or twenty per cent of the population—continue to subdue their differences and support the Caudillo, as did the *Wehrmacht*, the Nazis, the Junkers, and the German industrialists. Many foreigners in Spain persistently attempt to convince the privileged classes that they could rid themselves of Franco and still retain their power, ignoring the facts that civil war atrocities are still fresh in their memories, communism threatens to envelope Europe, and every Spaniard is within hearing distance of Radio Moscow.

The Spanish People

It is hard for us in this country to understand the dread and hatred the Spanish upper classes have for their less fortunate countrymen. Fear dominates their reasoning and they seem utterly void of social consciousness. The peasant and worker reciprocate in kind: they hate because they are afraid.

The plight of the Spanish masses is desperate. One report declares that "the average per-capita income in Spain is estimated at $120. a year."[21] It takes the average farm worker's full daily wage to buy two loaves of black bread, with which he must feed a large family. Yet the peasant is comparatively lucky. He has regular work in a small village where necessities are more available. The urban worker makes better wages but black market prices keep him in a constant state of poverty, and since the war there often has been employment only three or four days a week due to the power shortage and disruption of the economy. The middle classes fare no better. During World War II, when there was no unemployment, a bank clerk earned around 300 pesetas a month, about $22 at the official (artificial) rate of exchange. This monthly wage is much less than we in the United States give our *unemployed a week!*

[21] Camille M. Cianfarra, in the *New York Times*, November 24, 1951, p. 3.

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A man's suit cost 700-1,000 pesetas, a cheap pair of shoes, 90-150 pesetas, eggs, 25-35 a dozen, and what was sold for butter, 50 pesetas a kilo.[22] Moreover, things have not improved since the war.[23]

According to official figures, which may be questioned, wages have increased 300 per cent since 1945, while prices have climbed 700 per cent during the same period.[24] Complete chaos has been avoided only because World War II brought boom conditions and full employment to Spain. During the war there was, if anything, a labor shortage. Whole families were therefore able to work, women and children being in demand even more than men, as they require less pay under fixed Spanish wage scales. By sharing living quarters with other families and buying nothing not absolutely needed, the Spanish people have been able barely to exist.

With the end of the war in Europe, two new factors arose to worsen the situation. The war boom collapsed and German purchases no longer supported the Spanish economy. Coupled with this, one of the worst droughts in Spain's history has caused a severe shortage of electric power during the post-war period. These two factors for a time caused industry to come to a near standstill. During the Spanish Civil War many of the country's dams and power plants were destroyed or worn out, and during World War II Spain was unable to replace her power-producing equipment, which she must buy abroad. Yet during the same period German demands for Spanish goods caused an abnormal increase in the use of power-driven machinery by Spanish industry. The power shortage became so serious the government was forced to impose severe restrictions on the use of electricity. During the last six years electrical output has

[22] The official rate of exchange at that time was 10 pesetas to a dollar; it is now 16 pesetas to a dollar. On the Tangier open market, the rate is over 60 pesetas to a dollar.

[23] The most extensive survey of Spain's economy, replete with statistics, is a semi-official apologia by the present Director of Madrid University's Institute of Applied Economics; see Higinio Paris Equilaz, *Diez anos de política economica en España* (Madrid, 1949). An excellent summary review of Spain's economic situation also appeared in the *New York Times*, January 3, 1952, p. 76.

[24] Equilaz, *op. cit.*, pp. 135 and 181.

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been reduced an estimated 40 per cent throughout Spain. Business houses, banks, stores, industries, housewives, all periodically have been getting along since the war on electricity provided only three or four days a week. Even during the days when there is power it is generally cut off during certain hours to ease the load.[25] In 1950 Madrid's factories were reduced to a nine-hour week and hydroelectric reserves were down to less than 5 per cent of capacity.[26]

Industries and small businesses which depend heavily on electric power have been extremely hard hit. The working man, who is paid by the day, has often suffered the loss of half his income.[27]

Coupled with the lack of fertilizer, short since the Civil War, Spain's post-war drought has also brought on the worst series of crop failures in almost three quarters of a century. It is doubtful if half the yearly wheat crop has been harvested during the years since the war's end. It is estimated that post-war olive yields have been 60 per cent less than normal. The poorest rice crops in decades have been reported since 1945, and it is the same with potatoes and other crops. Fodder was so scarce for a time that livestock had to be slaughtered and sold for meat.[28]

For some years Spain has been able to feed her people only because of the 1946 Franco-Perón Trade Agreement, under which Argentina shipped Spain enough wheat to make up the yearly deficit. Little was forthcoming in return, however, and by early 1950 Argentina refused to continue wheat shipments, announcing that it could no longer afford to continue exports at the rate of 10 pesetas for every peseta of Spanish imports.

[25] There is a current joke in Spain about the signs so often seen hanging on elevator doors. A visiting foreigner, upon returning to his own country, declared that the only Spanish he learned was the word for elevator: "*No Functiona*".

[26] The city of Malaga suffered from such an acute power shortage it was obligated to rent an Italian ship whose generators, as far as is known, are still producing electricity for the city.

[27] Moreover, inflation steadily whittles away his purchasing power. According to latest available official figures (reported in the *New York Times*, January 3, 1952, p. 76), prices have increased 20.8 per cent in twelve months (November 1, 1950-October 31, 1951). Meanwhile there has been no wage increase.

[28] For official figures on agricultural production during the last decade, see Equilaz, *op. cit.*, pp. 44-54.

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An Argentina economist reportedly stated at the time: "The Perón Government has for the past four years supported Spain; now [speaking of the United States] it is your turn." [29]

Argentina's severance of trade with Spain has had a crippling effect upon the country's financial status. Forced to buy cereals from the United States and Canada, Franco was obliged during 1950 to expend the remainder of a $25 million United States bank loan, and in addition dip into his rapidly dwindling gold reserves. Spain's international credit [30] is so bad that immediate payments in United States dollars are the only terms available to Franco in the world market.[31] A series of dollar loans has been granted Franco by the Chase National Bank, but in each case the Spanish government has been forced to deposit an equal amount of gold as collateral.[32] Moreover, United States Department of Commerce trade statistics show that Spain is consistently importing from the United States goods worth twice as much as those being exported to the United States. Spain's gold reserves are estimated as less than $120 million.[33]

Recently two things have occurred which promise some improvement for Spain's tottering economy. After five years of severe drought, spring rains in overabundance the last two years have made possible full agricultural production and ample electrical power for the first time since the end of the Second World War.[34] Along with this, Franco won a great victory when on February 12 of last year the United States Export-Import Bank extended credits totaling $12,200,000 to Spain, the first to be released under the $62,500,000 "loan" authorized by Congress in 1950. It was approved by Congress in spite of protests from the State Department and the opposition of

[29] Quoted in *Hispanic American Report*, vol. III, No. 2 (February 1950), p. 7.

[30] Official statistics appear in Equilaz, *op. cit.*, pp. 80-96, 110-124.

[31] See the series of articles on Spain's trading position appearing in *Foreign Trade* from January 21 to February 8, 1950. Recent statistics are given in the *New York Times*, January 3, 1952, p. 76.

[32] In spite of this, many of the bank's stockholders have vigorously protested the granting of the loans.

[33] *Hispanic American Report*, vol. III, No. 2 (February 1950), p. 8.

[34] As a result, rationing was recently abolished in Spain for the first time since 1936.

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Protestant and labor groups. The Truman Administration refused to release the loan until the necessity of granting Yugoslavia similar credits forced its execution for the sake of Congressional support. In releasing credits it was made clear that the loan would be on a "strictly business basis", subject to guarantee by the Spanish government. Spain is also expected to make several economic reforms advocated by the United States.[35]

The burden of Spain's agricultural and industrial crisis has been borne largely by the peasants and working class, who are living from hand to mouth. Where during the war they could at least get by, following the war they were thrown out of work in the face of rising prices and food shortages. Up to the present time they have been able to get along with what clothing, furniture and other necessities they had from pre-Civil War days. However these things are now worn out and cannot be replaced, and what savings the people once had disappeared long ago.[36]

The Underground [37]

In their plight, the Spanish people have turned to the underground. For some time following the victory of Franco in the Civil War, disillusionment and sickness of war prevented the growth of any organized opposition. With the coming of World War II, which was seen in Spain as a struggle of democracy against fascism, several underground movements sprang into being. By the end of the war two factions had emerged: [38] the *Alianza Democrática* and the *Unión Nacional*. The first is a coalition of the parties of the old Popular Front, minus the

[35] Primarily, the simplification of export and import controls, the abolition of restrictions limiting foreign investors to 25 per cent participation in Spansh enterprises, and a revaluation of Spanish currency. Some reforms have already been carried out; see the *New York Times*, January 3, 1952, p. 76.

[36] An excellent report on the dwindling purchasing power of the Spanish people appeared in the *New York Times*, December 18, 1950, p. 13.

[37] The following material is derived largely from sources the author is not at liberty to cite. Perhaps the best published information on the Spanish underground available in this country appears in *Hispanic American Report*.

[38] Apart from the Monarchists, who should not properly be classed with the clandestine movements in Spain.

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Communists. Its core and driving force is the *Confederación Nacional de Trabajadores* (National Labor Confederation), the *Unión General de Trabajo* (General Workers' Union), and the Socialist party. By the end of the war in Europe the *Alianza* had become the largest of the underground movements. It is still by far the most popular, being supported by the majority of the Spanish people. It is extensively but poorly organized, and is less revolutionary than the *Unión Nacional.* Its activities consist mainly of publishing reams of anti-Franco literature. Throughout the war it staunchly supported the Allies; but, where the *Unión Nacional* looks to Russia, the *Alianza* fears the Communists and leans toward the Western democracies. It is largely republican in sympathy, but has indicated its willingness to accept a restoration of the monarchy.[39]

Its rival, the *Unión Nacional,* boasts elements of all opposition groups but in fact is little more than a front for the Spanish Communist party. The movement derives its strength from Russian and French support and its ties with what remains of the old *Maquis,* in which Spanish Communists played a prominent rôle. It is a much smaller organization than its rival and is far less popular, but it is better organized and, needless to say, is more militant, advocating the violent overthrow of every last remnant of the Franco order. It also maintains a printing press and, since the liberation of France, which made it possible to receive aid from across the border, the organization more than holds its own in the distribution of clandestine literature. Its leaders are tireless, brave, and good organizers. However, they can never live down the intolerant, ruthless Civil War record of the Spanish Communist party, for which it is distrusted and feared by the Spanish masses and the other Leftist parties. It is precisely this distrust that caused the other Popular Front parties to reject Communist overtures for collaboration and unite instead in the *Alianza Democrática.*

In 1948 a new underground organization appeared, the "Committee for Interior Cooperation", a group aiming at the establishment of a common front for the various anti-Franco

[39] Indalecio Prieto's Moderate Socialists have been negotiating for a union with the Monarchists for some time. *The New York Times,* on May 1, 1950, p. 9, gave a report on this situation. As of July 1952, Prieto's efforts had failed.

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elements of the Spanish underground.[40] As a result of the Barcelona bombings of July 1949, several of its leaders were imprisoned. It is significant that Antonio Castaños Benavente, Secretary General of the National Confederation of Labor (C.N.T.), received the heaviest sentence—25 years—for negotiating a Monarchist-Socialist front. Unity between Monarchists on the one hand and Socialists or republican elements on the other is something Franco has tried desperately to prevent, fully cognizant of the threat to his régime such a coalition poses.

The Spanish Communists deserve special attention, in view of their significance to United States policies in the cold war. It has already been indicated that the Spanish Communist party does not command much popular support. American policy in Spain has not helped this situation, however. Throughout World War II the Spanish people were led to believe that Franco's overthrow awaited only the defeat of his two more dangerous allies, Hitler and Mussolini. Spaniards were convinced that only military necessity and practical wartime politics prompted the democracies to deal with the Franco régime; there was a strong implication that the end of the war would see a reversal of our appeasement policy. Reams of O.W.I. propaganda, echoed by the clandestine press of the *Alianza,* led the people to pray desperately for an Allied victory, and to wait hopefully for the day when they too would see victory. Now they feel duped, and the longer we continue to support Franco the more embittered and desperate they become. A worker in the Spanish underground summed it up this way:

> If the Americans support Franco, then we must abandon hope for a democratic future in Spain. . . . For the moment our greatest enemy is Franco. . . . The allies of our enemies are our enemies too. . . . So the question we ask the Americans is this: Whom do they prefer to have on their side—Franco or the Spanish people? They can't have both.[41]

[40] A review of its activities is given in *ibid.*, February 10, 1951, p. 10.

[41] Quoted by Jean Marabini, an Italian journalist living in France, whose articles on the Spanish underground for the French newspaper *Franc-Tireur* appeared in *Harpers' Magazine,* September 1951, pp. 24-31. The quotation is found on p. 31.

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Many Spaniards have turned in despair from the opposition forces they have come to associate with the United States, to the Communists, who boast of Russia's long and vehement anti-Franco record. On the other hand, Russia's post-war record has done much to offset the support her opposition to Franco has gained for the Spanish Communist party. One thing is certain, however: the Communists would undoubtedly lose much of their already small popular following if the British and Americans took the lead in advocating concrete measures for the removal of Franco in favor of the establishment of a more democratic régime in Spain.

With regard to the leadership of the Spanish underground, it has brought a new and refreshing realism to Spanish politics. Leaders of the old Popular Front parties have been killed or driven into exile; even the present underground leadership is in a continual state of change, due to the systematic searches and executions carried out by the police and Falange agents. The new leaders have come forward since the end of the Spanish Civil War and show the marks of their proletarian origins and of their defeat and long years of stubborn resistance under the dictatorship. This is manifest in their less doctrinaire attitude and their willingness to coöperate with other opposition groups. There is an old Spanish saying that where you find three Spaniards you find three potential political parties. This extreme individualism and inability to coöperate politically are still the main characteristics of Spanish politics. After thirteen years under an oppressive dictatorship, the political factions represented by various monarchist groups, exiled leaders and underground movements within Spain are still unable to form a common front against Franco. This accounts for Dean Acheson's statement, explanatory of this country's position regarding Franco: "There is no sign of an alternative to the present government." [42]

Nevertheless, the existence of a common enemy has imposed an unusual degree of unity upon opposition groups. Life under the dictatorship has made doctrinal differences unimportant,

[42] In his letter of January 19, 1950, to Chairman Connally of the Senate Foreign Relations Committee.

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and coöperation essential. The new membership of the National Labor Confederation and the Socialist party hears little and cares less about pre-Civil War anarchist teachings or the theories of state socialism. Furthermore, the new parties have often expressed a willingness to join forces with any group opposed to Franco—any, that is, except the Communists. They would not hesitate to unite with their old enemy, the Army, should the chance arise; they do not want a monarchy but have already shown their willingness to coöperate with Catholics and Monarchists should Don Juan's return appear feasible. They look on the Republican Government in Exile with no particular enthusiasm and it has surprisingly little prestige inside Spain, but if its return were possible they would rally behind it. All they want is a chance for the Spanish people to go to the polls, for they know that if elections were held they would come to power and could then get on with the job of making Spain over from a semifeudal state into a modern social democratic country. Land reforms, checks upon the political power of the Church, a decrease in the size and political influence of the Army, representative government—reforms that most Western European countries fought for and achieved a century ago—are their goals.

Meanwhile Franco continues to cultivate the favor of his followers and play upon their fears of *los rojos*, the Reds. He has astutely lumped all those who oppose his fascist régime under the dreaded term "Communists".[43] It is a common joke in Madrid's diplomatic circles that *Tio Pepe* ("Uncle Joe" Stalin) is in reality Franco's best friend, for it is largely fear of Russia and communism that keeps Franco in power. If any wayward Monarchist or digruntled army officer should have any doubts about the régime, all he need do is glance at any page of the Falange-controlled press, and the latest horror story on *los rojos* will remove all doubts from his mind.

Yet anyone not motivated by fear who is acquainted with the real situation in Spain today knows that the Spanish Communists are a small minority, perhaps ten per cent of the popu-

[43] Except the Monarchists, whose clandestine activities are tolerated, largely in order to disrupt efforts at a Monarchist-Republican union.

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lation, and are feared by the people. If elections could be held today the Communists would not have the slightest chance of gaining power; they can do so only by revolution or a *coup d'état*.

Conclusion

As we have seen, the present governing power in Spain rests firmly upon five pillars of the Spanish *status quo*: the Falange, the Army, the Church, the landowners and the industrialists. Beneath lie the Spanish people, helplessly disorganized and feebly represented by various underground and exiled movements.

What can be drawn from this picture? To begin with, the present Spanish régime differs in several important characteristics from the fascism of other countries. First, its leader is no Hitler. He is a Catholic militarist, a man who belatedly allied himself with Spain's fascist party in his war against the republic, not a man who rose to power through the ranks of the Falange. Secondly, Spanish fascism, largely centered in the Falange, is only one of several competing forces of nearly equal strength, all of which share in the ruling power. The Falange is not dominant as was, say, the Nazi party in Germany. Thirdly, Franco's ascendancy to power has not changed the fundamental character of Spanish society. There has been no " fascist revolution " if one means by that a disturbance of the economic and social structure. On the contrary, Spain's traditional class system has been frozen. Franco served to solidify the *status quo*.

This leads to a significant fact: Apart from the Falange, an innovation of the present régime, the societal elements supporting the Franco dictatorship have been the bulwark of every Spanish government in modern times save one—the one overthrown by General Franco to restore " normalcy " to the Spanish scene. And herein lies the tragedy of Spain: If Spain is to become a modern country, changes must be wrought which are diametrically opposed to the interests of its present ruling classes. Yet, short of revolution, no government can rule without the support of at least a majority of these classes. Hence,

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no government can come to grips with Spain's fundamental problems.

There are those who place great faith in the possibility of a peaceful removal of General Franco in favor of a more "popular" government. Popular with whom? No force can come to power without at least the support of the Army, and in view of its present makeup Army blessings would imply approval by landowners and the Church also. The most that realistically can be hoped for is the establishment of a puppet monarchy, the reigns of government remaining in their present hands. Even should something better be obtained, what would come of efforts at land reform, or of attempts to weaken the power of the Army or the Church? The lesson of the Spanish Civil War is clear to those in doubt.

The ugly conclusion is that the answer to Spain's ills, inherent in its present socio-political structure as they are, can be found only in a social upheaval involving a complete turnover of Spain's social forces. When and how this will come the author does not pretend to know. But come it will.

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ALLIED UNITY OF COMMAND IN THE SECOND WORLD WAR: A STUDY IN REGIONAL MILITARY ORGANIZATION

MILITARY rule has often been used in the past in place of civil government, and there have always been standing national armies in time of peace; but the maintenance of large coalition armies in peacetime is a new phenomenon. General Eisenhower's SHAPE headquarters, formally established at Marly-le-Roi in April 1951, was, as he pointed out, the first allied headquarters "set up in peace to preserve peace and not to wage war." Military organization has had only an insignificant part heretofore in the normal association of nations. Small international "constabularies" have been organized to maintain order in certain areas where national jealousies would not permit the task to be entrusted to a purely national force. But international military coöperation on this scale is picayune compared to the establishment now maintained and contemplated by the United States, Great Britain, France and other Powers in Europe and the Far East.

The phenomenon may well become permanent. Indeed, we shall be fortunate if we are given time to make it so. Any international organization for collective security in the foreseeable future must face the possibility of an indefinite prolongation of world conditions that used to be regarded as unmistakable harbingers of war. That organization must therefore have its military side as well as its political side. The United Nations has already gone far along this path, since the end of the last great war, by developing permanent multinational military forces, organized regionally under unified commands, to resist aggression as a continuing function, a purpose fundamentally different from that of defeating a specific enemy at a specific time. The analogy of a police force is trite but exact. International military organization thus has a legitimate claim upon the in-

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terest of the student of government and administration, not merely the professional soldier.[1]

The regional international military commands now functioning in Europe and the Far East can trace a direct line of descent to the great coalition theaters in which Anglo-American forces operated in World War II. It is upon the organizational experience of these Allied theaters that today's architects must primarily build. The Allied theater of 1942-45 is difficult to describe in the conventional terms of administrative organization; for it was not, properly speaking, a territorial or an administrative unit at all, although it had certain functions which most nonmilitary laymen would call administrative. Its territorial boundaries were usually vaguely defined, and territorial jurisdiction was not in any case an essential feature of its mission. Military administration within the area of an Allied theater, in fact, was primarily the function of the national forces, organized in clearly demarcated national theaters.[2] Yet these national theaters, though they served a common strategy in a given region, were not integral parts of the Allied theater. They stood, in a sense, apart from it, and comprehended jurisdictional areas, both territorial and functional, over which the Allied commander had no control. The national theater was an

[1] This study is based largely on Department of the Army records and on studies, published and unpublished, prepared for the series, *The U. S. Army in World War II*, currently being published by the Office of Military History in the Department of the Army. The author is especially indebted to Dr. F. C. Pogue's *The Supreme Command*, to be published soon in this series. The following generally available works have been incidentally useful: D. D. Eisenhower, *Crusade in Europe* (Garden City, 1948); H. C. Butcher, *My Three Years with Eisenhower* (New York, 1946); R. E. Sherwood, *Roosevelt and Hopkins: An Intimate History* (New York, 1948); Winston Churchill, *The Grand Alliance, The Hinge of Fate,* and *Closing the Ring* (Boston, 1950-51); H. L. Stimson and McGeorge Bundy, *On Active Service in Peace and War* (New York, 1947); Fleet Admiral W. D. Leahy, *I Was There* (New York, 1950); W. F. Craven and J. L. Cate (eds.), *Europe: Torch to Pointblank*, Vol. II in *The Army Air Forces in World War II* (Chicago, 1950); T. H. White (ed.), *The Stilwell Papers* (New York, 1948); L. H. Brereton (Lt. Gen., USA), *The Brereton Diaries* (New York, 1946); Maj. Gen. Sir Frederick Morgan, *Overture to Overlord* (Garden City, 1950); Otto Nelson, *National Security and the General Staff* (Washington, 1946); General Omar Bradley, *A Soldier's Story* (New York, 1951); Chester Wilmot, *Struggle for Europe* (New York, 1952); and the wartime reports of the Chief of Staff of the Army, the Commanding General of the Army Air Forces, and the Supreme Commander, Allied Expeditionary Force (SHAEF).

[2] The administrative rôle of the Allied theater has been omitted owing to considerations of space. The author hopes to treat this subject in a subsequent article.

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extension of the national military organization into overseas areas, closely controlled by the national military authorities at home. In the coalition structure it served primarily to provide and organize the forces and other means essential for coördinated Allied operations in its geographical area. The rôle of the Allied theater centered in its headquarters and above all in its "supreme" commander. Its proper function was *command,* in the special and limited form—*unity of command*—which this traditional military function assumed when transplanted to the soil of a coalition.[3]

Command and Unity of Command

The essence of command is concentration of responsibility and commensurate authority in one individual. The United States Army *Staff Officers' Field Manual* in 1940 defined "command responsibility" as follows: "The commander alone is responsible to his superior for all that his unit does or fails to do. He cannot shift this responsibility to his staff or to subordinate commanders." Ideally, therefore, a superior commander, like a feudal lord, can command only his immediate vassals, the commanders on the next lowest level of authority. The jurisdiction of each of these commanders is indivisible. Disciplinary action by a superior authority theoretically can be exercised only upon the commander immediately subordinate, who in turn is responsible for the transgressions of *his* subordinates. When a superior commander short-circuits the chain of command to discipline a subordinate lower than the next echelon below him, the action is clearly recognized as extraordinary, disruptive of normal command relationships, and reflecting upon the intermediate commander scarcely less than upon his culpable subordinate. Authority flows downward from a single source through constantly multiplying channels; responsibility reaches upward from a subordinate commander through but a single channel. The chain of command never by-passes a commander.

[3] The problem of inter-service or "joint" unity of command was distinct from that of Allied or "combined" unity of command; it is not treated here. It should also be noted that the problem of *central* unity of command, i.e., at the Washington level, in both joint and combined matters, is not considered in this study. The committee system of top-level military control prevailed throughout the war, despite many pressures to unify the system of command at the center.

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The phrase "unity of command" is thus, strictly speaking, tautological. In practice, however, it implies special arrangements to bring together under a single commander elements ordinarily controlled by separate sources of authority each "sovereign" within its own sphere—that is, forces belonging to more than one of the major armed services, or forces belonging to more than one sovereign state. Unity of command obviously grew out of the tradition of command, but in their actual functioning the two have not often been recognizable as offspring and parent. Invariably the powers of the joint commander have been closely hedged about by restrictions designed to preserve the direct chain of command from the central authority of the service or nation to its own commanders in the field. General Eisenhower once noted:

> Alliances in the past have often done no more than name the common foe, and "unity of command" has been a pious aspiration thinly disguising the national jealousies, ambitions and recriminations of high-ranking officers, unwilling to subordinate themselves or their forces to a commander of a different nationality or different service.[4]

From long and bitter experience in coalition warfare, a formal distinction has emerged between command and unity of command, recognizing the limited authority implied by the latter term. "Every commander in the field", writes General Eisenhower,[5] "possesses direct disciplinary power over all subordinates of his own nationality and of his own service. . . . But such authority and power cannot be given by any country to an individual of another nation."

The ABDA Directive [6]

Informal understandings reached between military representatives of the United States and Britain in March 1941, look-

[4] Commander-in-Chief's Dispatch, North African Campaign, p. 1. In files of Office of Military History, Dept. of the Army.

[5] *Crusade in Europe*, pp. 29-30.

[6] This section is based largely on the minutes and papers of the Arcadia Conference (Washington, December 1941-January 1942), filed in Office, Assistant Chief of Staff, G-3, Dept. of the Army. The letters "ABDA" stood for American, British, Dutch and Australian.

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ing to eventual American intervention in the war, anticipated that the military forces of the two nations would probably operate jointly in some areas, and laid down the principle, though not the blueprint, of unified command to govern such operations. The agreement reflected a strong feeling that joint operations should be the exception, not the rule; it was expected that normally the forces of each nation would operate in areas for which it assumed strategic responsibility.[7]

The first real charter of unified command was drawn up in the gloomy atmosphere of the Anglo-American military conference which met in Washington immediately after Pearl Harbor. The conference had the task, among others, of organizing the command of Allied forces opposing the Japanese advance into the Netherlands East Indies and Malaya. General George C. Marshall, U. S. Army Chief of Staff, proposed that Allied forces in this theater, and in any other where they might henceforth operate jointly, should be organized under a single commander. He declared:

> I feel very strongly that the most important consideration is the question of unity of command. . . . With differences between groups and between services . . . there must be one man in command of the entire theatre—air, ground and ships—. . . but operating under a controlled directive from here. We had to come to this in the First World War, but it was not until . . . much valuable time, blood and treasure had been needlessly sacrificed.

For the post of Supreme Allied Commander of the new theater (ABDACOM) he nominated General Sir Archibald Wavell, the British Commander-in-Chief in India.

Marshall's draft directive for the new commander, which he submitted for the consideration of the other chiefs, was indeed "controlled". It was a grim table of commandments, bristling with the phrase "you may not". Its provisions forbade the commander to relieve any subordinate officer; to alter the "major tactical organization" of national forces or to disperse them among multinational task forces; to take over "for gen-

[7] U.S.-British Staff Conversations, *Report* (Short Title ABC-1) 27 March 41. In *Pearl Harbor Attack*, Hearings before the Joint Congressional Committee, 79th Cong. (Washington, 1946), Pt. 15, pp. 1493-94.

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eral use" supplies, munitions, or other resources without the consent of the owning government; to interfere in the administration or disciplinary measures of a national commander over his own forces; to interfere with direct communication between a commander and his home government; to prevent a commander from obeying his own government in detaching troops or matériel to another theater; or to assume direct command of any part of the forces assigned to him. He could not transfer land forces from their own national territory without permission from their government; his only mobile forces, in fact, were naval elements and bombardment aviation, and each government could employ its tactical aircraft at its own discretion. All his major commanders were to be named by their own governments.

These restrictions would have reduced the supreme commander to the rôle of a coördinator with little more real authority than a chairman without a vote. What did Marshall, certainly no believer in figurehead command, really have in mind? It was fairly clear, of course, that the ramshackle front in the Far East, with the possible exception of Singapore, was probably already doomed. Churchill was unenthusiastic over Marshall's proposal. Allied forces were scattered over a vast area; "certain strategic points had to be held, and the commander in each locality was quite clear as to what he should do." General Wavell, he foresaw, "would have to bear a load of defeat in a scene of confusion." [8]

Marshall's stated purpose was simply "to start something". Once unity of command had been adopted as a working system, more cohesive arrangements might be hammered out in time as experience accumulated and mutual trust grew. But the immediate problem, as he told his British and American colleagues, was to determine "whether a directive could be drawn which would leave the Supreme Commander with enough power to improve the situation, and still not give him power to destroy national interests or to exploit one theatre without due consideration to another." In the existing dangerous situation in the

[8] According to Churchill, the U. S. Navy also opposed Marshall's proposal. *The Grand Alliance*, pp. 674-77.

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Far East, no charter would be worth the parchment it was written upon if any of the governments concerned feared that to support the commander's decisions, in any given situation, would mean disaster. As Admiral Stark remarked, " better to have the restrictions first and then remove them, than to fail in establishing the principle."

The directive finally sent to General Wavell actually omitted several of the explicit prohibitions of the original, and all its invidious " you may not's ". The governments were explicitly pledged neither to reduce the forces assigned to the theater, nor to withhold promised reinforcements, except upon " timely " notification. Specific provision was made for unified naval and air commands, and for a deputy supreme commander, these appointments to be made jointly by the governments. While the supreme commander was to have no jurisdiction over internal administration of national forces, he was nevertheless authorized " to direct and coordinate the creation and development of administrative facilities and the broad allocation of war materials."

The Allied commander's jurisdiction, nonetheless, remained narrowly circumscribed. The prohibitions against transferring land forces out of their own national territory, against interfering in normal administrative processes or with communication between national commanders and their governments, against altering the basic tactical organization of national forces or fragmenting these forces, and against exercising command directly, across the normal channels of authority passing through national commanders—all these were explicitly enunciated. " In general," read the directive, " your instructions and orders will be limited to those necessary for effective coordination of forces in the execution of your mission."

One restriction had been spelled out at length, and it was perhaps more fundamental than all the others.

> If any of your immediate subordinates, after making due representation to you, still considers that obedience to your orders would jeopardize the national interests of his country to an extent unjustified by the general situation in the ABDA area, he has the right, subject to your being immediately notified of such in-

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> tention, to appeal direct to his own government before carrying out the orders. Such appeals will be made by the most expeditious method, and a copy of the appeal will be communicated simultaneously to you.

This right of appeal was the symbol and the crux of the problem of command in a coalition. It was to haunt all later efforts to make the system work.

This was a first attempt, made at a time when, as Eisenhower later observed, "we had not yet come to appreciate fully the nature of an allied command." Most of the laborious spelling-out of rights of appeal and scope of authority was later omitted in directives to Allied theater commanders, as it became clear the restrictions were implicit in the sovereignty of the contracting powers.

ABDACOM was short-lived. By the end of February the Allied front had collapsed, and the command was dissolved. Meanwhile China had been declared an Allied theater, with Generalissimo Chiang Kai-shek as its commander. It was long, however, before American mobilization and deployment, slowly gathering momentum and busy for many months with the tasks of garrisoning outposts and long lines of communication, had poured a sufficient volume of forces into the areas where coalition operations were feasible to permit the new command system to function. National forces operated in national theaters —British and Empire forces in Libya, Australia, Egypt, the Indian Ocean and the Bay of Bengal, the Americans mainly along the vast curved perimeter from the Aleutians through Midway to Australia. On both major fronts the enemy was checked, Rommel before El Alamein, the Japanese in the Coral Sea and at Midway. Not until late in the summer were limited operations undertaken by American and Australian forces in New Guinea to counter the enemy thrust toward Port Moresby, while predominantly American forces early in August secured precarious landings a little to the east in the southern Solomons. In November combined Anglo-American forces landed on the shores of French North Africa and pushed into Tunisia in an offensive coördinated with that of the British Eighth Army launched at El Alamein. At Casablanca early in the new year

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the political and military leaders of the coalition mapped a program of coalition strategy for the coming year. This strategy envisaged a major joint effort in the European-Mediterranean area, with subsidiary ventures in Burma, China and New Guinea. In these theaters the problems of regional coalition organization were to be worked out.[9]

Regionalism and the "Sphere of Interest" Principle

The ABDA directive contained a curious duality. Wavell was given command both of a certain area and of certain forces, that is, the "ABDA area" and "all armed forces" of the ABDA governments within that area. These two jurisdictions, however, were not coterminous. The ABDA area did not include India or Australia, bases through which would have to be funneled whatever troops and material reached the new command; in Australia Wavell was to command only troops which had been "allotted by the respective governments for service in or support of" the ABDA area.

This arrangement was full of potential jurisdictional conflict. How could the Allied commander draw upon the resources, other than troops definitely assigned to him, in base areas outside his control? India served the British Middle East theater as well as ABDACOM, while the American supply organization in Australia, even before the new Allied command had been set up, had been given the primary mission of supporting MacArthur's forces in the Philippines. The latter were now nominally a part of ABDACOM but in fact isolated from it, and General MacArthur, under "special" arrangements, received his orders direct from Washington. During January and February 1942 the harassed American commander in Australia was under pressure from Washington and the beleaguered commander in the Philippines to rush supply shipments northward, while Wavell's headquarters in Java clamored for similar support. Even within the ABDA area national regional jurisdictions hamstrung the Allied commander, who was forbidden to transfer ground troops from one national territory to another.

[9] During the later course of the war, Allied theaters were organized in Europe, North Africa, the Mediterranean, the Middle East, Southeast Asia, and the Central, South and Southwest Pacific areas.

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Later in the spring, after ABDACOM's collapse, Allied leaders agreed on a division of all the war areas into geographical spheres of primary strategic responsibility for each of the two dominant partners. In the Pacific, as the arrangement was worked out, the military interests of the United States were conceded to be paramount; supreme commanders there were American and reported to the American Joint Chiefs as the executive agency for the Combined Chiefs. The British Chiefs of Staff acted in a similar capacity with respect to the Middle East, India and Burma and the waters and islands to the south and southeast, and for a time the Eastern Mediterranean. Allied commanders in these areas were British. Strategy was determined in general terms for all these areas by the Combined Chiefs; the national committees each supervised detailed planning and the conduct of operations in its own sphere. China, a special case, fell within the American sphere, though strategic coördination by the Joint Chiefs of operations by Chinese armies became largely a myth. In the European-Mediterranean area, both Allies had an equal interest. Here the Combined Chiefs kept their hands on the pulse of operations, and an effort was made to share top command posts between the two Allies.[10]

These regional arrangements inevitably raised jurisdictional problems in the "border" areas between national spheres. In Southeast Asia, for example, the boundary between American and British spheres ran roughly along the eastern frontier of Burma. In China, which thus fell within the American sphere, Lieutenant General Joseph Stilwell had the title of Chief of Staff to the Chinese Generalissimo—one of the "five hats" which this busy officer wore. Outside China, Stilwell was also field commander of the Chinese troops which he trained in India; in this capacity, though operating in the British sphere, he was independent of British authority. As American theater commander, Stilwell had jurisdiction over all American forces in

[10] Sherwood, *Roosevelt and Hopkins*, p. 510; Churchill, *Hinge of Fate*, pp. 197-98. The President's original proposal placed the whole Mediterranean in the British sphere, the North African invasion then having been shelved. He was also considering a single supreme command for the Pacific, with local operating commands going to the country principally concerned.

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China, Burma and India; in Burma, from late 1943 on, he was deputy to the Allied Supreme Commander, Admiral Lord Louis Mountbatten.[11] American forces in India, a base area for both British and Americans as well as for the movement of supplies to the Chinese, had a " tenant " relationship to the local authorities similar to that in the United Kingdom and in Australia. The Persian Corridor, where an American " service command " was created late in 1942 to handle the northward movement of Russian supplies, was in effect an enclave within the British Middle East sphere, with an intricate delimitation of jurisdictions—British, American, Iranian and Russian, political, economic and military, command and administrative.

The European-Mediterranean area, being a dual-interest sphere, naturally presented particularly difficult " border " problems. British interest historically centered in the Mediterranean. Into the center of this region, in the spring of 1943, Allied forces converged from east and west, meeting in Tunisia. Coördination of these operations, involving mixed Anglo-American-French forces in the west and mostly British forces in the east, was assigned in February 1943 to General Eisenhower, who in turn named the British General Sir Harold Alexander to command the ground forces in the field. But the American theater which was established at about the same time for American Army forces in Tunisia and the area to the west extended only to the eastern boundary of Tunisia. British forces to the east were territorially within the British Middle East theater. Eisenhower had no jurisdiction in the Eastern Mediterranean, beyond Tunisia, Sicily and Italy, and in the west, as Supreme Allied Commander, he controlled only the forces assigned for specific operations. As American theater commander, Eisenhower was of course in charge of all rear-area activities serving American forces; but he had no similar jurisdiction over British administrative activities in the same area.

Eisenhower's Allied Force Headquarters was thus, not the " capital " of a territorial *theater*, but a control center for operations in a vaguely defined zone straddling the boundary be-

[11] His " fifth hat " was the position of regional administrator for Chinese Lend-Lease.

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tween national spheres of responsibility. His original directive made no mention of territorial boundaries. At the end of 1943, however, a unified Allied theater was created under British direction, embracing the whole Mediterranean region except the Libyan, Egyptian and eastern shores.[12]

These regional arrangements were products of the spreading and converging of military operations. The same process, before the end of 1943, was shaping up a similar " border " problem between the Mediterranean and the Northwestern European areas. The logic of a strategy of three-pronged Continental invasion—the campaign already under way in Italy and the planned simultaneous landings on the Channel coast and in Southern France—called for a single supreme command for the whole area. In the air war against Germany this goal was already in view, with the creation in January 1944 of a single *American* air theater in the whole European-Mediterranean area. These forces, moreover, were now coördinated along with the RAF Bomber Command, their British counterpart, by the Combined Chiefs themselves in the Combined Bomber Offensive against the European Axis. But this was coördination, not command. The process stopped short of the creation of a single Allied air theater. Similarly, no unified control of ground operations was achieved in the two major areas, and the two-pronged invasion of France in the summer of 1944 was a coordinated, not a unified, operation.

The organization of coalition operations thus developed along parallel lines through the principle of unified command and the system of spheres of national responsibility.[13] The trend was toward consolidation and integration, as the convergence of military operations on the homelands of the Axis Powers tended to intensify the scale of military effort within steadily contracting areas. But the association of unified command with regionalism was always uncomfortable. Despite its dependence upon regional organization, Allied unified command was always pri-

[12] Command organization in the Mediterranean is treated in *History of Allied Force Headquarters and Headquarters NATOUSA*, on file in Office of Military History.

[13] In the Pacific the important divisions of responsibility were inter-service and mainly American, rather than inter-Allied.

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marily concerned with control of *forces* rather than territory, and it shunned as far as possible the administrative jurisdiction which was inseparable from territorial control. This remained the province of the national theater organizations. In Eisenhower's directive from the Combined Chiefs naming him to lead the European invasion, no territorial boundaries were laid down; he was designated "Supreme Allied Commander *of the forces placed under your orders* for operations for liberation of Europe from the Germans."

The Allied Commander and the High Command

The system of national spheres of responsibility was a rationalization of one of the most fundamental anomalies in the coalition system, the existence of two channels of responsibility reaching upward from the Allied theater commander. In theory an Allied commander was responsible to the coalition's duumvirate, the President and the Prime Minister, for whom the professional military heads, sitting together as the Combined Chiefs of Staff, acted as a central executive committee. But as ranking military representative of his own nation in the area, the Allied commander was in fact responsible through his own national chiefs of staff to the political-military head in his own country—the President as Commander-in-Chief, or the Prime Minister as Minister of Defense. So, also, was the commander of national forces immediately subordinate to an Allied commander of another nationality—thus creating a third channel by-passing the Allied commander altogether. The pattern became almost unbelievably complex in the Southeast Asia Command and the Allied China theater. American forces in both theaters were under a single commander, who thus divided his allegiance among two Allied superior commanders and his own superiors at home, while at the same time the channel from one Allied commander, the Chinese Generalissimo, to the Combined Chiefs of Staff was sheer fiction since the former was the head of a sovereign state. Allied commanders were thus subject to the historic malady of coalitions, a split-command personality aggravated by frustration arising from the limitations upon their authority to control their subordinates.

Beyond these problems inherent in the organization of the

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coalition, there was a profound divergence of opinion and custom between Britain and the United States with respect to the rôle of a field commander. American tradition favored a broad delegation of responsibility and authority to a commander, on the principle that he should be assigned a job, given the means to do it, and held responsible for its fulfillment without scrutiny of the measures employed. There was a natural tendency to adopt the same outlook in considering what powers should be assigned to an Allied commander, particularly if the latter were an American officer. General Marshall assured Eisenhower, soon after his appointment to command North African operations, that "it is the desire of the War Department that you as Commander-in-Chief of the Allied Forces should have the maximum feasible degree of authority and responsibility, and that you should operate at all times under as broad a directive as possible."

The British High Command, by contrast, kept a vigilant check on its commanders, with little regard to channels of command. Theater commanders-in-chief and sometimes even their subordinates were required to make daily reports direct to London.

> It is not sufficient [Churchill argued] to give a general a directive to beat the enemy and wait to see what happens. The matter is much more complicated. The general may well be below the level of his task, and has often been found so. A definite measure of guidance and control is required from the staffs and from the high government authorities.[14]

This illustrated what Eisenhower once referred to as "the inevitable trend of the British mind toward 'committee' rather than 'single' command." He and other American officers objected sharply to the "British tendency toward reaching down into a theatre and attempting to compel an organization along the lines to which they are accustomed," to invest with independent powers the commanders-in-chief subordinate to an Allied "supreme" commander, making the latter in effect the chairman of a board of directors who, under instructions from

[14] Quoted from a "Minute to the Chiefs of Staff", 24 Oct. 43, in Pogue, *The Supreme Command*.

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home, could overrule him on any point. " It seems impossible ", Eisenhower commented privately, " for the British to grasp the utter simplicity of the system that we employ "—that is, the " task force " principle of undivided authority and responsibility.[15]

These two opposing points of view clashed late in 1943 over the question of the appointment of a supreme commander for Allied forces in the invasion of Europe. The logical, and, it was generally assumed, inevitable, choice for this position was General Marshall, whom the Prime Minister himself, at the Quebec Conference in August 1943, suggested to the President. But Marshall had become well-nigh indispensable in the central direction of the war; some elements of American public opinion, moreover, now raised the cry that he was being removed from the Washington scene in order to make way for a " political " general (perhaps Somervell), and because his influence there had become objectionable to the British. Partly in answer to this clamor, partly as a means of retaining Marshall's tested counsel on the High Command, consideration was given to combining the European and Mediterranean areas into a single theater and placing all Allied operations against Germany under Marshall's command, while allowing him at the same time to retain his seat on the Combined Chiefs of Staff. Another proposal was to make Marshall field commander of all Anglo-American forces.

The implications of these proposals were revolutionary. The existing system rested upon two cardinal principles: separation of local field command from central coördination and direction, and parity among theater commanders in their relation to the High Command. It is doubtful whether this theory could have stood up if a commander of Marshall's enormous prestige were in charge of a " super theater " which absorbed the overwhelming bulk of the coalition's resources, while also retaining a directing voice in the High Command. The plan to put him at the head of *all* Allied forces in the field would have given him an equal preëminence. The system of committee control, under which strategic decisions represented compromises between na-

[15] Letter to Gen. Marshall, 8 Feb. 43. Filed in OPD Hist. Unit, Office of Military History.

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tional and service views, or in case of deadlock were referred to the top political leaders, must have yielded to an uneasy mingling of the committee principle with a heavily centralized field command weighted in the interests of one strategic area.

The British successfully resisted the American proposal to place Marshall in command of all operations against Germany. It was not the man they objected to, however, and in a certain sense it was not primarily a man, but rather a new principle of coalition organization, that the American chiefs were putting forward. Leahy, King and Arnold had agreed, in fact, that they would be willing to support Field Marshall Sir John Dill instead of Marshall if they could thereby induce the British to accept an integrated European-Mediterranean command—not merely for the land invasion, but for the strategic air offensive as well. But the British were unwilling to give up their freedom of action in the Eastern Mediterranean. They were also wary of tying their heavy bombers to the needs and the discretion of a supreme comander who might be inclined to use them solely for close support of the land forces in the invasion of the Continent. In other ways, too, the British showed their aversion to a powerful and autonomous field command. When the Supreme Commander's directive was being drawn up, the British chiefs objected to assigning him a mission extending beyond the securing of a lodgment on the Continent, holding that the command arrangements for the great campaigns to follow constituted a separate problem to be taken up later. The British also proposed to spell out in the directive detailed specifications of the mission and duties of subordinate commanders, thus depriving the Supreme Commander of discretion in this matter. On these two points, however, the British eventually yielded. But the whole "super theater" project died, and the President named Eisenhower to the European command.

The American High Command, in the spring of 1942, had hoped for a more concentrated war culminating in an early, mass invasion of Northwestern Europe, and pressed for such a strategy more and more strongly at each successive Allied conference. With operations concentrated largely in the theater where the main decision would finally have to be won, and re-

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stricted elsewhere to holding operations, the problem of strategic planning as well as the direction of military operations would have fallen upon the commander of the predominant theater. But the strategy of concentrating all but a bare minimum of effort upon reëntering the Continent in the northwest, ostensibly agreed upon in April 1942, had begun to collapse even before the assembly of forces in the British Isles had gotten well under way. By autumn it seemed to have been indefinitely postponed.

Until early 1944 the High Command had to direct a war delicately balanced between several points of impact. This demanded not only frequent adjustment of the over-all strategy but also close coördination of strategic plans and developing operations within each theater. The Combined Chiefs of Staff dealt not alone in broad strategic concepts, but with the details of material, troop and shipping requirements and the scheduling of build-up programs. Every plan of campaign developed by a theater commander had to be reviewed in the light of its impact on the whole military situation, and it was usually the High Command which made the decision as to which operations within a theater should receive the needed allotment of precious resources. This was true, for example, of the decision at Casablanca to attack Sicily. Through their numerous working committees, moreover, and their access to the technical staffs of the American and British military departments, the Combined Chiefs were in a position to scrutinize intelligently and critically theater commanders' estimates of their own needs. At the Washington (Trident) Conference of May 1943 General Somervell, head of the American Army Service Forces, cited the findings of his own logistical experts in challenging before the Combined Chiefs the requirements in transport and material which the British commander in India had asserted to be necessary for a major Allied offensive in Burma.

The theater commander, in fact, could scarcely be expected to have a real perspective of the whole war or of his own theater's place in it; he was inevitably disqualified, therefore, from being sole judge of his own needs. As Sherwood has aptly commented,

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> there was no theatre commander in the war who did not feel that he was the most neglected, most abused and most basely cheated of them all, and that if it hadn't been for Certain Sinister Influences in High Places *his* theatre would have been recognized as the decisive battleground and he would have been given top priority in the allocation of men and matériel.[16]

The rôle of the High Command might well be defined as that of distributing available means, human and material, to the best advantage in meeting the needs of a global war—or, as General Somervell once succinctly put it, the " division of a deficiency ".

The definite decision late in 1943 to invade Northwestern Europe, followed by the convergence of Allied armies in growing strength upon the enemy citadels in Europe and the Pacific, created something like the concentrated war that Stimson, Marshall and Eisenhower had had in mind two years earlier, though divided between two major sectors rather than focused upon one. This process, together with the firm possession of the strategic initiative enjoyed by the Allies, freed the High Command of a great part of its detailed directive responsibilities. Much of this burden was now shifted outward to the great overseas theaters. But the failure of the American schemes to unify the ground and air operations against Germany under a single command or to create an all-embracing Allied field command ensured the preservation of the existing structure of coalition organization.

This period also saw an extension of the rôle of the High Command in another direction—the direct control of strategic bombing operations from a central command post. The combined bomber offensive against Europe from early 1944 on was directed by the Combined Chiefs, with certain reservations designed to ensure the availability of heavy bombers to the Supreme Commander during the period of the Continental invasion. Similarly, strategic bombing operations in the Pacific were placed under the command of General H. H. Arnold in Washington as the executive for the U. S. Joint Chiefs, themselves the executive agency for the Allied High Command. These innovations decisively limited the jurisdiction of Allied overseas

[16] See note 15 above.

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commanders in a vital sphere of military power, and underlined their subordination to the High Command. By the end of war, the American Joint Chiefs had in effect assumed operational control of the impending attack on Japan, with control in the field divided between General MacArthur and Admiral Nimitz.

Control of National Forces

For any military commander the final and decisive measure of his authority is control over troops. The limitations upon an Allied commander's autonomy were nowhere more evident than in the formal restrictions upon his freedom to control the national forces under his command.

Complete unity of command—over "air, ground and ships"—was not achieved in any theater. In the Mediterranean, for example, although a unified air theater was organized early in 1943 embracing all Allied air forces in that region, its commander, Air Marshal Sir Arthur W. Tedder, was subordinate to General Eisenhower, the Supreme Allied Commander, only for operations in Northwest Africa. Otherwise he reported directly to the British Air Ministry. In the naval sphere, Admiral Sir Andrew Browne Cunningham commanded Allied naval forces in the Western Mediterranean but not those in the Eastern Mediterranean, and except for operations in support of amphibious landings he was subject, not to General Eisenhower, but to the British Chiefs of Staff. These arrangements, and similar ones in other theaters, placed under the Allied theater commander, not all forces within the defined region of the theater, but only such specific forces as the High Command considered necessary, by a more or less narrow interpretation of the need, for the accomplishing of his mission. Even in his capacity of national theater commander, an Allied commander seldom controlled all air and naval forces of his own country within his area, since the regional extension of air and naval operations never conformed to the geographical boundaries of a theater defined largely in terms of ground operations.

An Allied commander's control over the forces in the theater was determined in part by the extent to which the basic organization of these forces cut across national lines. Eisenhower believed in extending the "task force" principle, by which all

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forces needed to perform a given mission were placed under a single commander, downward into the organization of forces for subordinate missions.

> When the two governments accept the principle of unified command—which means a Task Force Commander—in a particular theatre, I not only believe that they must leave him a considerable freedom in organizing his own forces as he sees fit, but that when it becomes necessary to organize subordinate task forces, he should be free to do it under the principle of unified command if he so chooses.

This principle, as already noted, conflicted with what the Americans called the "committee" system of the British. As far as theater organization was concerned, this seemed usually to mean placing all forces of each arm—"air, ground and ships"—under a single Allied "commander-in-chief" responsible directly to the Allied theater commander. In itself, of course, such a grouping implied no limitation of the theater commander's authority; it was the tendency of these commanders-in-chief to interpose purely service points of view against efficient organization and operation along task force lines to which Eisenhower objected, particularly when their points of view received support from their national military superiors at home.

The difference in the American and British attitudes in this connection was also related, however, to the rôle that the Allied commander was expected to play in military operations. There was a strong feeling among many American military men that a field commander, no matter how exalted, should personally direct the battle. The British, by contrast, appeared to envisage for the Supreme Commander in the European invasion the more aloof rôle of coördinator, with a small headquarters concerned primarily with political matters and liaison. When Eisenhower named Field Marshal Bernard L. Montgomery to command all ground forces in the Normandy invasion, British opinion appeared to see in this a kind of abdication of the real direction of the invasion to the British commander. But the arrangement was not intended to be permanent. Eisenhower's plan was to form an American army group under General Omar Bradley as soon as sufficient American troops could be thrown across the

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Channel; Bradley's status would then be equal to that of Montgomery. Eisenhower expected, moreover, to establish his own command post in France as soon as possible. As it happened, this could not be done until about two months after the first landings, despite impatient admonitions from the U. S. War Department. Eisenhower himself, grappling with complex problems of coördination during this tense period, found the pressure from home a little annoying; as he put it (according to his Boswell), if he had to control ground operations directly, instead of through army group commanders, " then they will have to get someone to be Allied Commander."

General Bradley, in due course, took command of the bulk of American forces in France—Twelfth Army Group—although Montgomery's Twenty-first Army Group included the American Ninth Army and other American elements. But Montgomery himself and a vociferous body of British opinion continued to believe that there should be a single ground force commander. This insistence irritated the Allied Commander. On so vast a front (following the break-through of July-August), a single field commander could not possibly have kept in close daily touch with the battle, nor could he have exercised the coördinating function of the Supreme Commander of assigning major objectives, directing the flow of supplies and reinforcements as needed, and, in emergencies, concentrating massed air power in particular sectors or shifting major units from one command to another. " The only effect of such a scheme ", Eisenhower has commented, " would have been to place Montgomery in a position to draw at will, in support of his own ideas, upon the strength of the entire command." [17]

Behind these differences over the measure of direct control of operations to be exercised by the Supreme Commander was, of course, the central issue of control over national forces by a superior commander of another nationality. The British theory of command organization, as applied in the initial organization of the invasion forces in Europe, had the effect of placing a buffer of British officers, as Allied commanders-in-chief, between the Supreme Commander and the British forces. In thea-

[17] *Crusade in Europe*, pp. 284-85; Butcher, *My Three Years with Eisenhower*, pp. 718-19.

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ters where British officers held the top command the Americans similarly sought the intermediate positions of authority. American theater commanders doubled in brass as deputies to British Allied commanders in the Mediterranean and in Southeast Asia. In North Africa, moreover, Eisenhower had an American deputy (Major General Clark) for the three months following the initial landings.

Whatever his position, a national commander in a theater was expected by his superiors at home to be a watchdog for national interests. His most formidable instrument for doing so was the right of appeal. The instructions, for example, from the British Chiefs of Staff to Lieutenant General K. A. N. Anderson, commanding the British First Army in the North African invasion, authorized him to appeal to the British War Office any order which appeared "to imperil any British troops in the Allied force." Eisenhower's vigorous protest brought about a rewording of these directions, guarding against the loss of military opportunities resulting from such an appeal and ensuring prior notification to the Allied commander in case of appeal. But the principle remained.[18]

One of the rare instances of the kind of situation at which the right of appeal was aimed occurred in Burma in 1944, when a British officer, Major General W. D. Lentaigne, commanding some Indian troops under General Stilwell's operational control, refused Stilwell's orders to advance. The latter demanded Lentaigne's dismissal, and the matter went before the Allied Commander, Admiral Mountbatten. An investigation ordered by Mountbatten revealed, according to its report, that Lentaigne's force "had in fact been ordered to undertake tasks for which it was no longer fit." Mountbatten was driven to attempt a reconciliation between the two officers. The significant point is that no disciplinary action and no clear settlement resulted. Stilwell was unable to exercise the control inherent in command, Mountbatten was equally unable to dictate to either his immediate subordinate or his subordinate's subordinate, because the

[18] *Hist. of AFHQ*, I, 9-10; Butcher, *op. cit.*, pp. 137-38. There seems some doubt, according to certain former members of the British Chiefs of Staff interviewed since the war by Dr. Pogue, whether British commanders were formally given this right in the European theater in 1944 and 1945.

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situation was laden with overtones of national interest and national prestige.

The corollary of the right of appeal, as also illustrated by this episode, was the Allied theater commander's lack of effective power to relieve or to discipline commanders of another nationality. This prohibition, explicit in the ABDA directive, seems to have prevailed thereafter as a tacit understanding in all theaters. National commanders, moreover, were expected (in the words of one directive) to keep their superiors at home " fully advised of all that concerns your command " and to " communicate your recommendations fully and freely." Admiral Mountbatten, complaining later of General Stilwell's direct communication to Washington of his differences with his British superior, recommended for the future,[19] " a system of control by which there is only one channel along which recommendations and instructions regarding policy and strategy can pass . . . only in this way can divisions of policy and strategy within the theatre be avoided."

Another manifestation of the impossibility of achieving unqualified subordination of national forces to an Allied commander was the generally prevailing prohibition against disturbing the organizational integrity of troop formations. Instructions to the American theater commander in the Mediterranean early in 1942 stressed as an " underlying idea " the point that " the forces of the United States are a separate and distinct component of the combined forces, the identity of which must be preserved." The principle was supported, too, by practical obstacles to administrative intermingling of troops organized under different systems. Allied field commands in the European-Mediterranean area were usually large, in order that their national components might be separately administered and supported by separate supply lines. By a standing agreement preceding the Normandy invasion, units smaller than a corps in the Anglo-American forces were not to be placed under a commander of another nationality except in an emergency. In Burma and the Pacific, where operations were on a smaller scale,

[19] Report by Earl Mountbatten in 1947, published in 1951 by the British government, as reported in an Associated Press dispatch in the Washington *Evening Star*, 4 Feb. 51.

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unity of command sometimes reached farther down into the organizational structure.

Unity and Unity of Command

"We cannot manage by cooperation," General Marshall had declared at the Arcadia Conference, implying, evidently, that in the principle of unified command lay a far greater measure of solidarity. Upon coöperation and little more, nevertheless, the effective functioning of the coalition in the last analysis depended. If all the limitations upon the effective authority of Allied theater commanders had been brought into play, the forces of the coalition overseas would have been obliged to operate separately and without coördination. In one war area—Burma and China—this was, in fact, essentially what happened. Unified command was not even formally achieved in Burma until the end of 1943, and in the region as a whole it was never more than a façade behind which the American, British and Kuomintang forces fought their separate wars for the most part in widely separated sectors. The absence of a sense of common purpose in this theater, apart from that of defeating the common enemy, made coördinated military action by combined forces impossible and reduced the alternatives of coördinated strategy almost to zero.

Fortunately, this was not the crucial theater. In the Mediterranean and even more in Europe, despite a fundamental conflict over strategy which had to be resolved within the High Command, Anglo-American unity was sufficient to serve its ends. Yet this was scarcely an achievement of command *organization*. The limitations upon Eisenhower's authority, as we have seen, were essentially the same as those imposed upon other Allied commanders.

Evidently unity of action was not wholly dependent upon unity of command. Eisenhower quite obviously recognized this. His whole effort was directed, not to gaining a coercive authority over unwilling subordinates, but to creating a spirit of willing and enthusiastic coöperation. No doubt he was aided by the similarity of language and tradition, and the historic ties of sympathy, between the English and American peoples. But the task, with contrasting systems of staff organization and military

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administration, and mercurial temperaments like Patton and Montgomery to deal with, was difficult enough.

Overshadowing all other problems, and aggravating them beyond their ordinary dimensions, was that created by national jealousy and pride. British and French consciousness of dependence upon superior American power and resources inevitably exacerbated their sensitivity to the slightest implication that this inequality was being used by the Americans as a lever for any purpose whatsoever. Only tact and understanding could allay this feeling; to exercise it wholly was beyond the power of Eisenhower or any other. Nor was national sensitivity confined to the British and French; the Americans shared it in full measure. As Eisenhower himself admitted once, "I am not British and I am not ambidextrous in attitude." Eisenhower often tried to bring narrowly nationalistic views out into the open by labeling them as such as soon as they appeared. This dangerous method apparently had some success. ("I *think* the results have been good.") With General Montgomery, Eisenhower attempted through frank discussion to reconcile differences of view, recognizing that any "unbridgeable gulf of convictions" would have to be settled by the Combined Chiefs. Happily the gulf did not develop, though at the climax of the European campaign, while German armor was battering through the Ardennes and both Montgomery and the British press were clamoring for a British commander to head all Allied ground forces, it yawned uncomfortably close. This crisis required delicate handling of American commanders as well.[20]

In dealing with the ebullient British Prime Minister, Eisenhower had to cope not merely with a domineering temperament but also with the persuasive arts of a consummate politician and the polished intellect of a great statesman. Eisenhower's arsenal, indeed, did not contain weapons of this caliber. Against them he could only oppose his basic honesty and sincerity, and the steadfast support given him by his superiors at home. Before very long, it was evident that he had gained another weapon in Churchill's spontaneous liking and admiration for him. Never-

[20] Letters to Gen. Marshall and Gen. Handy, 8 Feb. 43 and 28 Jan. 43, respectively, in OPD Hist. Unit, Office of Military History; Butcher, *op. cit.*, 736-37; *Crusade in Europe*, pp. 355-57.

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theless, the Prime Minister was a British patriot to the core, and disagreements were sharp and frequent. Over the issue of strategic air command—which the British wanted to keep independent of the Supreme Commander—Eisenhower was driven on the eve of the invasion to threaten "to go home." A few months later Churchill, on the issue of the American plan for invading Southern France, was threatening to "lay down the mantle of my high office." [21]

In their own way, the French were far more difficult to deal with than the British. While their contribution to the Allied cause was smaller than the British, the problem of satisfying their aspirations and understanding their attitudes was all the more complex. It was much more a political than a military problem, however, partly as a result of French insistence upon being dealt with at that level.

In his efforts to work with his allies, Eisenhower was of course under pressure from his own superiors, who sometimes pushed him into paths not always commended by his own judgment. In the early plans for the North African operation, for example, he was inclined to agree with the British desire to gamble on landings far to the eastward and a rapid drive into Tunisia; the American Chiefs of Staff, however, insisted upon securing the line of communications by firm lodgments on the Atlantic Moroccan coast. His efforts to serve impartially the best interests of the coalition, as he saw them, inevitably drew attacks from both sides. The Prime Minister complained of his "bullying" insistence upon the Southern France operation, while officers in his own headquarters referred to him, behind his back, as "the best general the British have." Eisenhower's own conception of the problem of Allied unity is perhaps best exemplified by the widely circulated story of a remark he is supposed to have made to General Patton: "I don't mind if one officer refers to another as that son of a bitch. He's entitled to his own opinion. But the instant I hear of any American officer referring to a brother officer as that *British* son of a bitch, out he goes." [22]

[21] Butcher, *op. cit.*, pp. 498, 639; *Crusade in Europe*, pp. 221-23, 281-84.

[22] Butcher, *op. cit.*, pp. 490, 493, 639, 644, 667; *Crusade in Europe*, ch. 5. The anecdote mentioned, as quoted, is in Sherwood, *op. cit.*, p. 677; another version is in Butcher, *op. cit.*, p. 582.

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The successful achievement of Anglo-American unity in the most crucial theaters of coalition effort made it possible for the Allied commanders there to exercise the *normal* functions of command. It is not necessary to test the effectiveness of command organization solely by the authority of the commander to coerce recalcitrant subordinates. The authority inherent in command is a kind of reserve power, rarely asserted. This reserve power Allied commanders lacked. American commanders of Allied theaters did possess, to be sure, a potent lever of control in numerically superior American armies and access to the cornucopia of American munitions; in the case of Australia there was the additional argument that that country and her resources, though important assets, were not indispensable to America's security. But these arguments alone could never have served to forge genuine coalition unity; tactlessly employed, they might well have destroyed it. For the power to coerce, Allied commanders everywhere had to substitute the power to persuade. As Eisenhower has since observed, " only trust and confidence can establish the authority of an allied commander in chief so firmly that he need never fear the absence of this legal power."

The Allied commander's true function, like that of any commander, was not coercion but decision, the final responsibility of choosing among various possible courses of action. This normal function Allied commanders exercised, every day and every hour. Butcher's statement that no major undertaking occurred in the European theater " without General Ike's approval " was, in this sense a commonplace. In some theaters, where unity of command functioned less smoothly, decision might occasionally be the end product of a complicated process of discussion and pressure, but such occasions were rare. Few moments in history have dramatized more vividly the terrible loneliness of a commander who must make a fateful decision than that on the early morning of 5 June 1944 when Eisenhower, after weighing the multiple risks of threatening weather against that of an opportunity irrevocably lost, finally gave the word which launched the European invasion.

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THE PRESS AND POLITICAL CORRUPTION DURING THE FEDERALIST ADMINISTRATIONS

"HAVE our Stewards been found faithful?" So ran the leading line of a front-page newspaper article more than a century and a half ago,[1] and so might it run today. Then as now, the query implied considerable doubt.

Betrayal of public trust is no novelty in American history, or indeed in the annals of any nation. If not a continuing phenomenon, it has been at least a recurring one in our political life down to the present year. Frequently the country's newspapers have pioneered in directing popular attention to graft and corruption,[2] and an examination of the periodicals of that day shows clearly how the matter became a crucial issue during our very first presidential administrations.

This may surprise twentieth-century citizens who assume that unimpeachable integrity marked early American politics —that high-minded leaders invariably shunned temptation, or that temptation did not exist. Evidence shows that our forefathers did not share this belief. Large segments of the voting population then became convinced that there were those in high governmental positions who had sacrificed the nation's interests in order to advance their own. As today, the press was a primary agent in producing this conviction.

That the Federalist régime, ushered in with apparent unanimity in 1789, was irreparably crushed in little more than a decade is common knowledge. Less widely recognized, perhaps, is the fact that in that political transformation newspapers played a vital part,[3] and that some of their most incisive arguments dealt with the topic of political dishonesty and graft.

The government was still in its infancy, and Congress barely

[1] *Boston Gazette*, September 20, 1790, citing the New Haven *Connecticut Journal*.

[2] The scandals of the Grant, Harding and Truman administrations immediately come to mind; for brief comments on the first two, see James E. Pollard, *The Presidents and the Press* (New York, 1947), pp. 438-443, 448-450, 711.

[3] This topic is the central theme of the writer's *Jeffersonian Journalism* (unpublished doctoral dissertation, Columbia University, 1950).

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convened, before strident cries were raised against excessive costs. Six dollars a day seemed to be an inordinate salary for lawmakers, particularly when the federal "debating-society" frittered away countless hours on trivia such as forms of address, orders of procedure, or a library for Congress. Even doorkeepers to the legislative chambers received more than any honest laborer was entitled to expect for his services.[4] These things all added to the pyramiding expense of the central government, which some men feared was rapidly approaching the insupportable.

Current administrative outlays were as but the seedling, however, compared with the veritable forest of governmental obligations growing out of the various fiscal measures proposed by Alexander Hamilton as first Secretary of the Treasury. Not a few friends of the recently adopted Constitution were unable to visualize how the shaky, untried government could possibly assume such appalling financial responsibilities. Had not the Revolution itself been fought largely in protest against burdensome taxation?

Yet even the mounting public debt produced less misgiving than the dark charges concerning the opportunities it afforded for manipulation. It must be recalled, as Robert East has so ably pointed out, that this was a transition period in American business methods as well as in political organization. Investments were beginning to be encouraged by large-scale projects for internal improvements, and by such devices as joint-stock companies and commercial banks. Speculation in land was an old story for America, but investors were now turning to securities. Both types of speculative activity were flourishing; but the post-war willingness to experiment with the more impersonal forms of capitalism was revealed by the fact that American security values quadrupled in the two years following October 1789.[5]

[4] Numerous instances of these objections are cited in Stewart, *op. cit.*, pp. 59, 127-133.

[5] Robert A. East, *Business Enterprise in the American Revolutionary Era* (New York, 1938), pp. 322-323; Joseph Davis, *Essays in the Earlier History of American Corporations* (Cambridge, Mass., 1917), I, 195.[1] The Boston *Independent Chronicle*, September 8, 1791, asked if "inequality in property, without any adequate consideration, ever before so suddenly took place in the world?"

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Such appreciation, largely in governmental paper, produced ominous mutterings in the press. The age-old question of speculation by public officials on the basis of inside information appeared almost immediately. Already grim rumors were rampant concerning widespread leaks of advance knowledge concerning Hamilton's plan to refund the national debt at par. William Duer,[6] the Assistant Secretary of the Treasury, was particularly suspect. There seems little doubt that he purchased large amounts of certificates before funding went into effect, and that he kept his business partner, Andrew Craigie, constantly informed on matters which would affect the public credit.[7] By February 1790, several gazettes were demanding that Congressmen be required to certify publicly that they were not speculating in governmental obligations.[8] That corrupt pressure had been exerted upon the people's representatives was hinted by a correspondent who asserted that the move to refund had gained ardent supporters some three months before the general public had any inkling of the scheme.[9]

Integrity and industry were no longer the chief sources of public and private wealth in this country, lamented a disillusioned and cynical citizen. Of the fortunes gained since 1775, fewer than a score had been come by honestly.[10] The creation of the Bank of the United States was to other correspondents an even more forceful illustration of this than had been the refunding idea.[11] Speculators had acquired without charge from

[6] Duer came to America to purchase timbers for the British navy in 1768. He stayed on in the colonies and joined the American side in the War for Independence, advancing with startling rapidity to posts of some prominence. He was elected to the Continental Congress, and secured a contract to furnish supplies to Washington's army. After the war he became Secretary of the Treasury Board under the Congress of the Confederation. Duer hoped to further his own interests by accepting the office of Assistant Secretary of the Treasury in 1789, and resigned in 1790 apparently because of a regulation barring Treasury employees from buying governmental lands and securities. See Davis, *op. cit.*, I, 113-122, 124-126, 174-176.

[7] *Ibid.*, I, 183-184, 191-192.

[8] Philadelphia *Pennsylvania Gazette*; reprinted in the Baltimore *Maryland Gazette*, February 26, 1790.

[9] New York *Daily Gazette*, February 10, 1790.

[10] Philadelphia *General Advertiser*, July 14, 1791; reprinted in the Norwich, Conn., *Norwich Packet*, August 18, 1791.

[11] Exeter *New Hampshire Gazetteer*, August 26, 1791.

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the government valuable exclusive privileges for that institution,[12] and the prohibition against the holding of more than thirty shares of Bank stock by any individual had been grossly violated.[13]

Especially caustic was the antiadministration *National Gazette*, in commenting on the lack of direct denials that public officials had speculated on the basis of their own measures before those measures had become law.[14] The *American Daily Advertiser* made use of the ugly term "corruption", and doubted that many Congressmen could show evidence that they had not enriched themselves through their positions of public trust.[15] The *New York Journal* seconded the demand for a display of popular indignation, although it noted that "those who warn the people against speculating and stock jobbing corruption in the government" were being berated as "enemies to the government and to the people themselves."[16]

"No time will wipe away", thundered the *National Gazette*, the stain upon our national honor because of legislation funding the public debt "into the hands of D[uer] and Co."[17] Unbridled speculation, added the *State Gazette of South Carolina*, would fasten "features of slavery and disgrace" upon America's "boasted free and rising empire."[18] "A Citizen" was positive that the avaricious appeal of Hamilton's measures had enticed many officials to league themselves with brokers and speculators.[19] Many of the latter were already in Congress, or hoped to get there to enhance their own fortunes; "A Planter" noted they offered themselves for election in every district in

[12] New Haven *Connecticut Journal*, August 24, 1791.

[13] Boston *Independent Chronicle*, August 18, 1791.

[14] Philadelphia *National Gazette*, June 4, 1792.

[15] A Pennsylvania governor (Thomas Mifflin) was said to have made a list of his property when he assumed office, and to have published a similar one when he left, to show that he had not profited at the public's expense. The paper doubted that Congressmen could "stand this *test*." Philadelphia *American Daily Advertiser*; reprinted in the *National Gazette*, March 8, 1792.

[16] *New York Journal*, June 9, 1792.

[17] Philadelphia *National Gazette*, July 14, 1792.

[18] Charleston *State Gazette of South Carolina*, April 30, 1792.

[19] Philadelphia *National Gazette*, May 3, 1792; see also June 21, 1792.

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the Union.[20] When the greatest men in Congress were described as those who were "the greatest Speculators", where then was "the security of the PEOPLE?"[21]

A lengthy article on the prevalence of stockjobbing attempted to inform the public as to those "who may be esteemed the most arch and finished *speculators* in our country":

> Those who speculate themselves into Congress—then *speculate* upon the public finances till they establish a funding system and a bank—then *speculate* in the funds and the bank till they engross the whole management of them—then *speculate* upon the people to obtain six dollars per day for labouring *for themselves* —then *speculate* into Congress at the next election and thus *speculate* upon the property and welfare of their country.[22]

With such profiteering in federal securities infesting the government itself, the press reiterated, the public was at the mercy of these scoundrels.[23] Small wonder that an ironical *Baltimore Daily Intelligencer* commented that Hamilton's cohorts had written a chapter in the "New Political System of the United States", with notes from corrupt British ministers on how to obtain legislative majorities.[24]

When Duer failed in the panic of 1792, one writer sneeringly suggested that Congress should assume *his* debts.[25] Examination of the Bank subscription books was demanded, to ascertain which officials had speculated in their own interests. It was denounced as a "silly evasion" to plead that there were *some* members of the executive branch who were in "no wise involved in paper-jobbing"; no one claimed all men in government were corrupt, but the legislative as well as the executive branch had its share.[26] True believers in republican govern-

[20] Baltimore *Maryland Journal*, August 24, 1792. As late as 1800, charges were made to that effect concerning land speculators; see the Pittsburgh *Tree of Liberty*, September 6, 20, 1800.

[21] Fredericktown, Md., *Bartgis's Federal Gazette*, May 22, 1792.

[22] Norwich, Conn., *Norwich Weekly Register*, March 27, 1792.

[23] See the Philadelphia *National Gazette*, November 3, 1792.

[24] *Baltimore Daily Intelligencer*, November 12, 1793.

[25] *Norwich Weekly Register*, April 3, 1792.

[26] Philadelphia *National Gazette*, July 7, 1792.

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ment were mortified beyond measure, editorialized the outspoken *National Gazette*, "That so much corrupt speculation and avaricious jobbing should have polluted the infant character of our government. . . ." It was to be devoutly hoped that there would soon come (now that the people had awakened) a "lopping of rotten branches" in the administration.[27] Several years later there were still complaints that a considerable proportion of the First Congress had participated in the monopolization of the public debt, at a profit of 400 per cent or more.[28] Judges, too, had speculated grossly in lands and in paper, and the populace needed to watch carefully the behavior of all those in government office.[29]

Proposals for a national bankruptcy law in 1794 were designed, it was feared, to bring relief to those speculators who were now in financial straits. Duer's friends in Congress were said to be pushing the measure, in order that he might retain a portion of the sums he had gained by fleecing others.[30] The law, asserted one punster, should "ever prove mild and lenient to the [truly] unfortunate, but a scourge to *Evil*—DUERS."[31]

Much of the early Duer-Craigie speculation had been in land; the two had promoted the Scioto land grant in the Northwest Territory during 1787.[32] About the same time John Cleves Symmes, a member of the Confederation Congress from New Jersey, obtained a similar grant of Ohio land. Closely associated with Symmes in this venture was his fellow-Jerseyman Jonathan Dayton, whose name eventually became a Jeffersonian byword for corruption in high places. The original terms of

[27] *Ibid.*, July 4, 1792. This article (unlike later ones, however) added that those who had lost their integrity were still more odius when contrasted with the pure conduct of Washington.

[28] *Woods's Newark Gazette*, February 4, 1795.

[29] Baltimore *Federal Intelligencer*, April 7, 1795.

[30] "A SUFFERER BY SWINDLERS", in the New York *Columbian Gazetteer*, February 8, 1794; see also the New York *Greenleaf's New York Journal*, March 11, 1795.

[31] Worcester, Mass., *Independent Gazetteer*, January 7, 1800.

[32] East, *op. cit.*, p. 275; Davis, *op. cit.*, I, 130-134. The latter (p. 143) notes, however, that the rise in governmental securities after refunding actually worked to the detriment of the Scioto Company.

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this million-acre Symmes Purchase were never fulfilled. Symmes and Dayton made the down payment, and defaulted on the remainder. With the connivance of the government surveyor, however, and by the use of cheaply purchased military warrants instead of cash, the promoters were able to get more than one fourth of the original grant confirmed to them at the rate of one and one-half acres of actual land for one acre on paper, thus defrauding the United States of some $30,000.[33]

Such chicanery was not unique. Daniel Carroll, member of Congress from Maryland from 1789 to 1791, was one of the commissioners appointed to lay out the District of Columbia and saw to it that the government bought his land as a site for the capitol building.[34] Alexander Macomb (who sat in the New York legislature before he failed with Duer in the spring crash of 1792), Robert Morris, and many another politician figured that the funding system would tend to increase land prices and accordingly acquired huge tracts of Western land.[35] These men, who had " almost certain knowledge of the mode of establishing of the U. S. Securities and the funding system," had also purchased from Congress lands in Ohio, and then obtained from the national legislature an army to extirpate the Indians thereon. St. Clair's defeat, it was dourly predicted, would produce an investigation into this entire muddle of intrigue.[36] Speculative interests had also affected, it was charged, the treaties negotiated by the national administration with the Creek and Cherokee Indians—treaties made without consulting the state of Georgia.[37]

[33] Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* (New York, 1935), p. 85; see also East, *op. cit.*, p. 319.

[34] Beard, *op. cit.*, p. 82.

[35] East, *op. cit.*, pp. 315-318.

[36] Boston *Argus*, February 21, 1792. Duer's report on the contractors for St. Clair's expedition revealed both corruption and incompetence to the Concord, N. H., *Concord Herald*, June 20, 1792. Later it was estimated that every scalp taken from the Northwestern Indians had cost between $20,000 and $30,000; Washington, Ky., *Mirror*, September 4, 1799.

[37] The treaties presumably would bring peace to the troubled southwestern frontier, and enhance the value of land already engrossed by speculators; see the *National Magazine*, pp. 128-129.

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The Yazoo frauds, in which the majority of the Georgia legislature were bribed to approve a fraudulent land operation, are well known, and plagued the federal government for years. They were cited at the time as illustrative of the low morality among members of the party in power.[38] Once again there were rumors of federal officials—even United States judges—who were implicated, and accompanying demands for a thorough housecleaning and dismissal of the guilty parties.[39]

All this surge of feeling against the duplicity of speculators who held public office served to make more intolerable the burden of public debt, which was growing with frightening rapidity—particularly during John Adams' administration. By 1800 James Thomson Callender of the Richmond *Examiner* estimated the government owed nearly $90,000,000. According to his calculations, reputedly based on figures furnished by Albert Gallatin, the United States was paying well over $5,000,000 annually in interest alone—at a time when governmental revenues were declining, and had fallen to less than $7,500,000 a year.[40]

Federalist boasts of prosperity and greater production had certainly not been reflected in the government's financial status. Probably no nation on earth, caustically commented the New York *American Citizen*, had committed itself, by borrowing, more completely into the hands of those who lacked "either the power or the disposition to act in conformity to the public welfare."[41] When the undeclared war with France forced the Federalist administration to float a loan at the ruinous rate of 8 per cent interest, the *Examiner* could scarcely restrain its gloating: "Such things may enrich speculators, but the only consequence which the people can hope from them is a greater in-

[38] It was predicted that the transactions would inevitably entail another Indian conflict, and perhaps one with Spain as well; Halifax *North Carolina Journal*, January 12, 1795; Providence, R. I., *United States Chronicle*, March 5, 1795. With one exception, every legislator who voted for the sale was a stockholder in one of the benefiting land companies; see the abstract of Charles B. Haskins, "The Yazoo Land Companies", *Annual Report of the American Historical Association, 1901*, II, 29-30.

[39] Halifax *North Carolina Journal*, January 12, 1795; see also the Philadelphia *Aurora*, February 16, 1795; and the Charleston, S. C., *Columbian Herald*, March 18, 1795.

[40] Richmond, Va., *Examiner*, January 14, 1800.

[41] New York *American Citizen*, March 24, April 16, 1800.

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crease of their taxes." [42] Conflicting figures given on governmental finances—even Federalists themselves were often not in agreement—[43] in themselves were pointed out as indicating a desire to conceal the true state of affairs.[44] As early as 1792 it had been intimated that the "*studied obscurity*" of Treasury financial reports may well have been to hide peculation.[45]

In our first administrations as well as during more recent ones, the faults found in government were often associated with individuals rather than with abstract principles. Many critics of the Federalist program had been ready long before 1800 to make rather definite charges of official corruption. At least twenty-five, it was said, of the Representatives who defended Hamilton against Giles's resolutions concerning maladministration had quickly changed their Bank and public security holdings in order to claim economic disinterestedness in the matter.[46] "Ham and his chickens", hinted *Greenleaf's New York Journal*, had been able to feather their nests rather lavishly, thanks to the funding system.[47]

Accusations by Andrew G. Fraunces that Hamilton had been guilty of misconduct in nonpayment of Treasury warrants and of speculative profiteering called attention to sums paid by the Secretary to one James Reynolds for mysterious "services rendered".[48] Thus Reynolds' blackmailing activities were at first mistaken for payments to him as Hamilton's confidential agent in graft or illicit speculations, especially since when jailed he claimed to possess financial documents damaging to the Secretary. Democratic-Republican Congressional leaders con-

[42] Richmond *Examiner*, March 21, 1800; Richmond *Virginia Argus*, September 19, 1800.

[43] For example, Secretary of the Treasury Wolcott admitted a slight increase in the debt, whereas a House Committee headed by Theodore Sedgwick (also denounced as a speculator) reported a decrease of approximately $1,000,000. See the Providence, R. I., *Impartial Observer*, September 8, 1800.

[44] *Ibid.* See also the Worcester *Massachusetts Spy*, November 4, 1800.

[45] Philadelphia *National Gazette*, October 17, 1792, January 9, 1793.

[46] *Ibid.*, March 27, 1793.

[47] *Greenleaf's New York Journal*, October 31, 1795.

[48] Boston *Independent Chronicle*, October 17, 1793. The payments amounted, it was charged, to $1,415—enough to excite suspicion.

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fronting Hamilton with these charges were answered by the astounding disclosure of the latter's relations with Reynolds' wife.[49] That ended the official investigation for the time being, but J. T. Callender later published the original insinuations of corruption in his *History of the United States for 1796*. The implication of dishonesty in office forced the harassed Hamilton to publish a pamphlet revealing the whole sordid affair with Mrs. Reynolds and providing opposition critics with a choice bit of scandal. The (by then) former Secretary of the Treasury had vindicated his official integrity, but hardly under conditions which would inspire confidence in the purity of the administration.[50] As Jeffersonians insistently noted, the fact that Hamilton was an adulterer did not preclude the possibility that he had been a grafter also.[51]

By 1797 all the ills of America were being blamed on "the depravity, the error, or the corruption" of those in office.[52] Opposition papers found it symbolic when the ornamental refreshments for a presidential party included a sugar cake to represent the Constitution. Without doubt the fundamental document had proved itself a veritable sugar cake for some of those entrusted with its administration.[53]

A new anti-Federalist periodical, the *National Magazine*, announced in its prospectus a determination to expose malfeasance in public places. It pledged itself to review the young nation's history and trace the "origin, progress and alarming influence of that system of iniquity, bribery and oppression, hypocrisy

[49] Nathan Schachner, *Alexander Hamilton* (New York, 1946), pp. 364-372.

[50] See the Philadelphia *Daily Advertiser*, July 17, 1797; *Aurora*, July 19, October 10, 1797; Boston *Independent Chronicle*, September 28, October 2, 5, 1797; and the *National Magazine*, pp. 87-94, 156-164. Fraunces, who claimed to have been a clerk in the Treasury Department, was still unconvinced, continuing to insist that—whatever Hamilton's relations with Mrs. Reynolds had been—he had also used public funds with which to speculate, using Reynolds as a tool. The charge is made in a letter to the *New-York Diary*, republished in the Washington, D. C., *Washington Gazette*, November 4, 1797.

[51] Philadelphia *Daily Advertiser*, July 17, 1797; Boston *Independent Chronicle*, September 28, October 2, 5, 1797.

[52] Baltimore *City Gazette*, March 16, 1797.

[53] New York *Time Piece*, October 31, 1797; Boston *Independent Chronicle*, November 9, 1797.

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and injustice " to be found in the " corrupt mazes " of Federalist policy.[54]

Even before this promised systematic exposé of official corruption, there had been concentrated assaults upon the probity of key Federalist figures. Washington himself had not escaped. Following the nation's resigned acceptance of the Jay Treaty, largely because he signed it, there had been a concerted effort among Democratic-Republican newspaper editors to make public life so unpalatable for the First President that he would be virtually driven from office.[55] In conjunction with this campaign, John Beckley, Clerk of the House of Representatives, wrote a series of letters, charging that Washington—despite oft-repeated assertions made about his disinterestedness—had received from the Treasury advances exceeding his lawful annual compensation.[56] Oliver Wolcott, who had followed Hamilton as head of the Treasury Department, admitted that it had been the practice to forward to the President money for household expenses in advance of the quarter for which an appropriation had been made. But, Wolcott insisted, no sums had been paid for which there had not been a prior authorization.[57] As might be expected, opposition newspapers refused to find this explanation satisfactory.

By 1798 it was asserted that a record of support for administration measures outweighed considerations of ability, or even common honesty, as a qualification for position under the Federalists.[58] Known miscreants, it was stated, were retained by the government, or presented to the voters as candidates for public office. An example was one Joseph Thomas of Philadelphia, leader of a mob which had tried to intimidate the *Aurora's* editor, Benjamin Franklin Bache, and destroy his home in the spring of 1798.[59] Thomas shortly afterward ran for Congress, but found it expedient to leave Philadelphia suddenly as a result

[54] Reprinted from the Richmond *Virginia Argus*, in the *National Magazine*, p. 103.

[55] For a development of this thesis see Stewart, *op. cit.*, pp. 968-995.

[56] The first of these letters appeared in the *Aurora*, October 23, 1795.

[57] *Ibid.*, October 26, 1795; Boston *Independent Chronicle*, November 5, 1795.

[58] *Aurora*, February 27, 1798; Boston *Independent Chronicle*, March 15, 1798.

[59] *Aurora*, May 9, 1798; Philadelphia *Constitutional Diary*, January 1, 1800.

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of apparently well-founded accusations of forgery and of selling nonexistent lands for speculative purposes. Republican journals delightedly depicted him as a "bellwether" of the Federalist flock and an outstanding sample of "Tory virtue" and "patriotism".[60] Thomas' speculations were said to have exceeded $2,000,000, and when Federalists noted that no Jeffersonians had been victimized, the latter commented that Thomas swindled exactly "as many [Republicans] as would trust him—and no more."[61]

During the election year of 1800 corruption charges in the Jeffersonian press grew even longer. Except for President Adams, no one in the administration seemed exempt—and even he, it was intimated, might have some knowledge concerning $50,000 which had seemingly disappeared from the humiliating bribes paid the Barbary pirates by either Stoddert's Navy or Pickering's State Department. Similar "perquisites" allegedly had been withheld by McHenry's War Department from the customary presents to the Western Indians.[62] Good Federalist New Englanders who were appointed to take the census were reputed to have absconded to Spanish Florida with the expense money advanced to them.[63] Customs collectors were accused of acting as spies and informers for the administration; and agents for paying invalid pensions had been given grants for Federalist electioneering purposes. Several of the latter owed the government sums ranging as high as $10,745.40.[64]

Almost three years previously, it was asserted, the customs collector for Charleston had died, with his accounts over three quarters of a million dollars in arrears; and no steps had yet been taken to collect from his estate. One man by the name of Simmons was denounced for enormous profiteering in contracting for public buildings in the new city of Washington, and his brother was $4,000,000 short in his books as principal account-

[60] *Aurora*, August 7, 8, 1798; Philadelphia *Carey's United States Recorder*, August 9, 1798.

[61] *Aurora*, August 8, 1798.

[62] *Aurora*, June 6, 1800; Richmond *Virginia Argus*, June 13, 1800.

[63] Alexandria, Va., *Alexandria Times*, January 10, 1800.

[64] Baltimore *American*, July 24, 1800.

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ant for the War Office.[65] Tobacco inspectors in Savannah and other ports were accused by English merchants of approving substandard tobacco rather than lose their inspection fee of 43¾ cents a hogshead.[66]

Corrupt practices were not confined to minor federal officials, said the Jeffersonians. Jonathan Dayton's earlier Ohio land speculations paled into insignificance, they insisted, beside his perfidy after becoming Speaker of the federal House of Representatives in 1795. At that time the Speaker's duties included paying out the salaries to the House members, and once again Dayton had an opportunity to benefit at public expense. In 1798 he drew from the Treasury $33,000 to pay less than one half that sum to the Representatives. Over a year later it was discovered that he had used over $18,000 for speculative purposes. At the demand of Secretary of the Treasury Wolcott, Dayton finally returned the money, but paid no interest.[67]

A law suit which was commenced about this time by Dayton against his New York business agent also had painful repercussions for the party in power. The agent, Francis Childs by name, exhibited in court a number of letters which definitely embarrassed the (by then) former Speaker. These communications, gleefully published by the New York *American Citizen*,[68] disclosed that Dayton had bought lands whose value had been enhanced as a result of measures he afterward sponsored in Congress. Military land warrants, which could be obtained in New York on credit at $25 a hundred acres, were purchased to acquire land in the Northwest Territory for which Congress was about to fix a price of $2 an acre.[69] Other letters afforded Childs advance notice of expected Congressional action, in order that advantageous purchases or sales might be made. Dayton's

[65] Newark, N. J., *Centinel of Freedom*, September 23, 1800.

[66] Only about 40 per cent of the Georgia tobacco passed was held to be of marketable quality; Augusta, Ga., *Augusta Chronicle*, October 4, 1800.

[67] Claude G. Bowers, *Jefferson and Hamilton* (Boston, 1925), p. 466. See the Baltimore *American*, July 9, 1800; and the Wilmington, Del., *Mirror of the Times*, January 28, 1801.

[68] New York *American Citizen*, July 17, 22, 26, 1800; these were republished in a number of other papers.

[69] Newark *Centinel of Freedom*, July 22, 1800.

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own handwriting revealed that he had supported both the Jay and the Pinckney treaties because he was convinced they would speed passage of the Land Office bill which would raise the price of Western lands.[70] What was more, he had requested Childs to send campaign workers into the Congressional districts of those Representatives opposing appropriations to render Jay's Treaty effective, in order that key votes in the House might be coerced into approving the funds.[71] Since one letter cautioned Childs to burn the message upon reading it, there was no doubt that Dayton was fully cognizant of the impropriety of his deeds.[72]

Thus was unmasked, in the words of the Kentucky *Palladium*, the system by which the Speaker had " enriched himself, while ostensibly serving the public." [73] Dayton's withdrawal of his suit against Childs was held proof of the authenticity of the letters, and it was suggested that his profits from land speculation might have been utilized to push through the Jay Treaty appropriations. One letter had mentioned $3,000 which would not have to be returned to him as soon as expected, inasmuch as the Senate was not yet ready to adjourn. Was this more public money which would be needed at the session's close? [74] No wonder the speculations of " the late speaker " had " rung throughout the western world." [75]

The Philadelphia *Aurora*, by this time most prominent of the Jeffersonian journals, commenced a series of articles which it ran under the screaming caption, " PUBLIC PLUNDER!" William Duane, who had become editor of the paper after Bache's death, claimed access to official accounts of the Treasury Department which indisputably proved treachery in high posts.

[70] Letters Nos. V, VIII, IX, in the New York *American Citizen*, July 22, and Nos. XII, XIV, XVI, *ibid.*, July 26, 1800.

[71] Letter No. XV, *ibid.*, July 26, 1800.

[72] Letter No. III (April 17, 1798), *ibid.*, July 17, 1800.

[73] Frankfort, Ky., *Palladium*, August 28, 1800.

[74] New York *American Citizen*, July 26, 1800; Richmond *Virginia Argus*, August 8, 12, 1800.

[75] John Woods, *Suppressed History of the Administration*, cited in Beard, *Economic Interpretation of the Constitution*, p. 86.

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Prior to the series, asserted Duane, he had merely hinted at perfidy, in the vain hope that President Adams would order an investigation. Now he pledged that the country should know, after three years of loans and grievous taxes apologized for by fear of war with France, the whole black story "of abuse and waste of the public money."[76] A hurried check of only a fraction of the Treasury records was said to expose a shortage of over $8,000,000.[77]

On the books of Joseph Nourse, Register of the Department, Dayton was shown to have held for a considerable period over $90,000 of federal funds. Only a portion of this had at that time been returned—and without any interest. As his letters to Childs showed, Dayton had used in speculative ventures at least a part of these sums which did not belong to him.[78]

When the unhappy ex-Speaker attempted a reply, noting a discrepancy in the paper's figures, and sneering that if anyone wished thoroughly to discredit a story all that was needed was to say "it originated in the *Aurora*," Duane published his effort.[79] But the editor went on to state that any inaccuracies were the fault of the Comptroller or Auditor rather than the newspaper, and that the comparatively slight error noted in one entry had already been recognized by a later correction on the Treasury books. In any instance, the *amount* of government money withheld by Dayton was not the issue. Surely the culprit was in a bad way when forced to resort to scurrility at a time he needed *facts*. Even Wolcott, who had attempted to defend the records of Washington and of Secretary of State Pickering, "dares not lisp a word, in mitigation of Mr. Dayton's unsettled accounts." The $18,000 Dayton held out from the amount advanced to him as Speaker to pay Congressional sal-

[76] *Aurora*, June 17, 1800, *et. seq.* Duane claimed his figures were extracted from Department files, and compared with the originals in the presence of three witnesses; see the Morristown, N. J., *Genius of Liberty*, June 26, 1800.

[77] *Aurora*, June 17, 1800.

[78] *Ibid.*, June 18, 1800; Baltimore *American*, June 21, 1800.

[79] *Aurora*, June 30, 1800 (see also the *Philadelphia Gazette*, June 28, 1800). This received wide circulation all over the nation (e.g., the Newark *Centinel of Freedom*, July 1, 1800; *Augusta Chronicle*, July 19, 1800; Frankfort *Palladium*, August 24, 1800), but Federalist papers refrained from publishing Duane's comments.

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aries had now been in his hands almost a year since he vacated the Speaker's chair. Presumably neither he nor Comptroller John Steele would ever have made any statement of their accounts "if the LEGAL NECESSITY of making an annual report to Congress, had not COMPELLED them to it." If these sums had been repaid, there should be entries and receipts to prove it.[80] In the absence of such evidence, Dayton was clearly a "public defaulter".[81]

Calling Duane a liar did not clear Dayton, noted the *Centinel of Freedom*; it charged those in authority to furnish the information (if it existed) which would restore his reputation. There were intimations that he had used improper means originally to get elected to Congress when first he scented possibilities of making a fortune through the funding system. Reluctance to present actual evidence on his behalf reflected seriously on not only his own honor, but that of his New Jersey constituents as well.[82] The *Aurora* insisted that its various accusations could be proved in court, and virtually challenged Dayton to sue. There was, it asserted, an "enormous and deep-laid" conspiracy of "official influence with vast speculations."[83]

Certainly Dayton was not alone in malfeasance. At the very least, Wolcott was culpable on the score of negligence. A corrupt or careless Secretary could cost the public immense sums; for instance, a Treasury report showed that at the end of 1799 the customs collectors and supervisors of the revenue had over $530,000 of United States money in their hands.[84] Two officials in Boston alone possessed almost $300,000 of public funds —and one of these men was a known bankrupt![85] Sharp Delany, Collector of Customs for Philadelphia, had died owing the government some $86,000, which the Treasury must collect from his estate as best it could. Public funds, said the *Aurora*, should be publicly accounted for. It was Adams' and Wolcott's

[80] *Aurora*, July 2, 1800; Baltimore *American*, July 9, 1800.

[81] Frankfort *Palladium*, August 24, 1800.

[82] Newark *Centinel of Freedom*, July 1, 8, 1800.

[83] *Aurora*, July 9, 1800; Baltimore *American*, July 12, 1800.

[84] *Aurora*, July 14, 1800; Baltimore *American*, July 17, 1800.

[85] *Aurora*, June 19, 1800; Petersburg, Va., *Petersburg Intelligencer*, June 27, 1800.

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responsibility to see that their subordinates discharged their duties and obligations faithfully.[86]

Serious discrepancies were also alleged to exist in the accounts of Timothy Pickering's State Department. Duane cited specific amounts and in some cases even Treasury warrant numbers. Pickering had overdrawn his certified and approved expenditures by $501,918.14.[87] This represented only certain funds which had been advanced to him; in reality the sums of government money which he had used for his own purposes were probably far greater. That he had withdrawn as recently as April 18, 1800 (on Treasury Warrant, No. 9612) $50,000 for treating with the Barbary Powers, when he possessed already nearly $300,000 unexpended for the same account, demonstrated that he would stop at nothing.[88] Surely it was more than coincidence that Pickering, too, had been speculating in Western lands.[89]

Upon Wolcott's denunciation of its indictment as "unfounded", the *Aurora* demanded proof. Its own charges had been both specific and documented. The Treasury Secretary's admission that the *Aurora's* balances referred to aggregate sums advanced to Cabinet members was a veritable confession. What law authorized Pickering to have *any* government money above that needed for the actual expenses of his department? *If* he were acting merely as an agent for such matters as supplying the Northwest Territory's government with stationery, settling disputes with the state of Georgia, and administering provisions of the Jay Treaty, what percentage commission did he draw for his services, and how much of the money advanced him was actually used for the purposes specified?[90]

[86] *Aurora,* June 18, 1800.

[87] *Aurora,* June 21, 23, 1800; Stonington, Conn., *Impartial Journal,* July 1, 8, 1800.

[88] *Aurora,* June 17, 21, 1800.

[89] For a denial (without substantiation) of the charges that Pickering owed sums to the United States, or owned lands outside Luzerne County, Pa., see the *Augusta Chronicle,* July 19, 1800.

[90] Duane insisted that no matter how frantically they tried, Federalists could not deny that the half million or more in question had beeen drawn by Pickering from the Treasury. The Philadelphia *Gazette of the United States* (cited in the George-

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The Treasury accounts had *not*, despite Wolcott's claims, been publicly exhibited, and no evidence had been presented that Pickering was innocent of borrowing government money, interest-free, possibly for speculative purposes. Wolcott's so-called "vindication" had merely revealed a lamentable system of bookkeeping which failed to mean what it said, plus some decided irregularities in accounts. If the *Aurora's* arraignment were false, it should be simple enough to produce records establishing that fact.[91]

In an effort to clarify its attacks to laymen, the *Aurora* proceeded to analyze the bookkeeping and organization of the Treasury Department. The former was branded as intentionally complex to the point of unintelligibility. This was demonstrated not only by Wolcott's "small mistake, of a *million of dollars*" in his report to Congress, but by the facts that Sedgwick's Congressional committee had listed the public debt several millions below the correct total and that the Treasury Register had certified the payment of the French debt when interest on it was still being paid to men who had acquired it through a funding operation. Obviously men of ability and rectitude were needed to prevent costly blunders and betrayals of the public confidence. A study of Treasury Department duties clearly showed that the officers had performed their tasks improperly or not at all.[92]

Under such conditions it was perhaps inevitable that a party long in office should now have some forty officials guilty of fis-

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town, D. C., *Centinel of Liberty*, June 27, 1800) had pointed to the Secretary's credit of $580.40 with the Bank of the United States as proof that he owed "not one farthing to the U. S." Pickering's bank account, maintained the *Aurora* (June 24, 1800; reprinted in the Baltimore *American*, June 27, 1800), had nothing to do with the matter in question—other than that it might possibly have represented a fraction of the Treasury funds he withdrew. The Bank itself had more than $3,300,000 of public funds for which as yet *it* had failed to render an accounting. Moreover, added Duane (*Aurora*, June 25, July 1, 1800; Boston *Constitutional Telegraphe*, July 2, 1800; New York *Forlorn Hope*, July 5, 1800; Raleigh, N. C., *Raleigh Register*, July 8, 1800), if Pickering could hold all these "agencies" constitutionally in addition to his regular office, and discharge their duties adequately, his salary as Secretary was far too high.

91 *Aurora*, June 25, 1800.

92 *Aurora*, July 3, 1800; Baltimore *American*, July 9, 1800.

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cal irregularities. One Treasury supervisor had been liable to the United States for $117,103.38 for two years. The Accountant of the Navy was short in his accounts over $2,500,000.[93] John Stockton, a Treasury agent for Delaware who owed a paltry $2,399.26, denied the *Aurora's* charges, but the letter he produced from the Comptroller as evidence showed him indebted for that amount on the pension fund alone.[94] The Federalist administration seemed to have a definite policy of (1) eliminating all those considered political heretics, (2) controlling the press through printing contracts or fear of the Sedition Law, and (3) appropriating sums, over and above their actual expenditures, for government officials to use for electioneering purposes or private gain.[95]

As election time neared and Jeffersonian hopes mounted, a number of Federalist officials resigned from public service or refused to stand for reëlection. Duane compared these individuals to rats deserting a sinking ship; they had grown fat on their loot, but were now frantically seeking safety with their undeserved plunder.[96] It was reported that one administrative officer had been overheard saying that if Jefferson should be elected the accounts of the Department of State "ought never to be suffered to go into his hands."[97]

Today we know that the Jeffersonians *were* victorious, but even before the results were positively ascertained,[98] a fire of mysterious origin consumed many War Department records. A number of Republican papers were cynically curious about the conflagration, and convinced that it was no mere accident. According to the Baltimore *Federal Gazette,* Secretary of War Samuel Dexter's office had been "locked *for two weeks*"; was it only coincidence that the fire was discovered the very night of his return from the North? The Treasury Department's

[93] Morristown *Genius of Liberty,* June 26, 1800.

[94] Wilmington, Del., *Mirror of the Times,* July 12, 1800; *Aurora,* July 15, 1800.

[95] *Aurora,* July 18, 1800; Baltimore *American,* July 24, 1800.

[96] *Aurora,* July 23, 1800, *et seq.*

[97] Richmond *Virginia Argus,* September 19, 1800.

[98] As late as December 8, 1800, some Federalist papers still claimed a victory; see the Hartford *Connecticut Courant* of that date.

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Wolcott had been vehemently denying that Pickering and McHenry were guilty of peculation. Quite conveniently, the records which might have settled the issue were now destroyed. Although Wolcott had been the first person at the flames, and apparently had tried to extinguish them, he was reticent as to the origin of the blaze and resigned from office suspiciously soon afterward.[99] "Simon Slim" was certainly not alone in his insistence that something was seriously amiss.[100] When squirming Federalists countered these "diabolical" charges by implying that Duane had caused the fire,[101] there were loud Republican snorts of derision, and the *Aurora* editorialized about the "Federal Bonfire".[102]

Suspicions multiplied when a similar conflagration gutted the Treasury Department records in January 1801. By this time there was a new Secretary of the Treasury, but once again the "Honorable OLIVER WOLCOTT . . . of 'blazing fame'" had been among the earliest persons present.[103] The Georgetown *Cabinet* insisted the fire was no accident. Paper had been scattered over the floor of the Auditor's office, presumably to aid in setting the blaze; and three unidentified men had been seen locked in a near-by room. Wolcott's ability to be first on the spot was decidedly interesting—as was the fact that wagons, so difficult to hire even in the daytime, were available to haul away some trunks and boxes of papers almost immediately after the alarm. If these effects were Wolcott's personal property, as he claimed, why did he not sacrifice them for the Treasury papers? His own records had no business there, anyway.

Obviously Federalists feared what would be revealed when the Republicans came into power. When a check was requested of the funds set aside to maintain the standing army raised against France, the War Office went up in smoke. Now that Pickering's accounts and Wolcott's official actions were to be scrutinized, there was combustion in the Treasury. This fire

[99] Baltimore *Federal Gazette*, November 10, 1800.

[100] Baltimore *American*, January 3, 1801.

[101] Providence, R. I., *Providence Journal*, November 26, 1800.

[102] Baltimore *American*, January 3, 1801.

[103] *Ibid.*, January 31, February 4, 1801.

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was clearly intended to operate "as a final settlement of all accounts." [104]

Federalist charges that Republicans were the incendiaries were scoffed down. Clearly, asserted the New York *Temple of Reason*, the Jeffersonian firebugs had entered the Treasury Office through the keyhole.[105] Calls were made for an investigation, and, while the official report characterized the loss as trifling, opposition editors implied whitewashing and assiduously exploited this opportunity to throw further odium upon the already discomfited Federalist administration.[106]

* * * * * *

"Turn the rascals out!" is a commonplace demand in politics. In 1800, however, the charges seemed well documented—and they were certainly voluminous and persistent in a significant portion of the American press. Undoubtedly there were other, and very potent, issues in the campaign leading to Jefferson's triumph. But the incessant newspaper emphasis on betrayal and corruption, in a political party which had become entrenched in power, did much to further the development of our first opposition party—one which was able successfully to convince the electorate that it, rather than the incumbent Federalists, should be entrusted with the direction of national affairs. The exact accuracy of the charges made is relatively unimportant—except, of course, to the accused themselves. But without question these reiterated accusations were powerful in bringing the Federalist régime to an inglorious end.

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[104] Cited in the *Aurora*, January 25, 27, 29, February 2, 1801.

[105] New York *Temple of Reason*, January 13, 1801.

[106] Washington, D. C., *National Intelligencer*, January 30, March 4, 1801.

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PETER VIERECK, Associate Professor of History at Mount Holyoke College, is the author of two history books, *Conservatism Revisited* (1949) and *Metapolitics* (1941), and three poetry books, *Terror and Decorum* (1948, awarded the Pulitzer Prize in 1949), *Strike Through the Mask* (1950) and *The First Morning* (1952). This September the Beacon Press is bringing out his collected political essays, *Shame and Glory of the Intellectuals: Babbitt Junior versus the Rediscovery of Values.*

LUCIUS WILMERDING, JR., has written two important books on government—*Government by Merit* (1935), a study of the American civil service prepared for the Commission of Inquiry on Public Service Personnel, and *The Spending Power* (1943), a history of the efforts of Congress to control expenditures, based on researches made while in the Treasury Department, 1934–1941. His article on "Reform of the Electoral System" appeared in the March 1949 issue of the QUARTERLY.

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REVIEWS

Economy in the National Government. By PAUL H. DOUGLAS. Chicago, The University of Chicago Press, 1952.—vii, 277 pp. $3.75.

Although the facts recited in this book, telling as they do of waste on a large scale in federal expenditures and favoritism in federal tax legislation, leave the reader depressed, the fact that the book was written renews his spirit. For here is a blending of the legislator, economist and political scientist, producing a volume that is at once penetrating, specific, yet well proportioned and easy to read. Senator Douglas makes a convincing case for balancing the budget of 1952-1953 without raising tax rates. He also offers more general procedural and policy recommendations for the future that reflect his appreciation of recent developments in economic and political theory.

His achievement is the more impressive because of the obvious difficulties of suggesting precisely where economies in expenditure might be made without endangering necessary programs. The difficulty is greatest, perhaps, in the military field, where so much of the necessary information is unavailable even to the Congressman because "restricted" (Douglas was unable to find out how much was spent for rent and servants' staffs of our military attachés—"confidential", says the Army). But Senator Douglas comes up with a list of general measures to save $4 billion. The fact that he does so has depressing implications: the military are so obviously wasteful in so many ways that even a nonmilitary observer can show how to save 7½ per cent of their budget.

Of course, the military are not unique in this respect. Senator Douglas notes some general categories in the nonmilitary part of the budget, where he specifies $1,400 million of possible savings.

To be sure, in some instances, particularly in the nonmilitary field, the savings can be obtained only by a policy change, a determination to be less responsive to the pressure of particular interests. But in plenty of cases no policy need be injured, except the policy of slackness, or a private-enterprise policy of maximizing profit in the short run. The 1951-1952 budget for the Navy appropriated $215 million

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for ninety-five airplanes for "administrative purposes". Retail prices were paid in some cases for wholesale lots of equipment items. The Navy bought golf-club sets with four matched woods and eight matched irons. A half-empty Army depot in Oakland was not far from a one-third empty Navy depot. Common ten-penny nails were catalogued three different ways for three different services, with prices ranging from 6½ cents (Navy) to 12 cents (Air Force). Douglas cites instances of unnecessary middlemen, costly overspecification (five and a half pages, single spaced, for ping-pong balls), flight pay that did little to keep flyers in trim, but that wasted even more in gasoline and similar costs than in the pay itself; and so on.

Moreover, there remains the even bigger problem: how to eliminate the waste that is not so obvious? Here, the present book does not help much; the possibilities of a program type of budget, as used in some municipalities, is not explored. The subject is so difficult that omission of it is understandable, but some readers may draw undue optimism from the suggestions for improvement of procedure made by the author: to provide the appropriations committees with more staff help; to set up in the General Accounting Office a staff to make continuing studies of means of reducing expenditures; to return to a consolidated appropriations bill (which Douglas agrees has many drawbacks). The trouble lies deeper, even apart from the pressures of special interests.

Senator Douglas' recommendations for closing tax loopholes will, of course, find opponents in those adversely affected. Will they find supporters among the body of taxpayers who would benefit? Opposition can be expected, as before, from the petroleum industry, where depletion is allowed as a percentage of gross receipts, with no limit on the cumulative annual total of depletion that may be taken on a given property over the years, as long as the oil keeps flowing, at a profit. The Senator imperils his standing with the infants' lobby by protesting against the permission given in the 1951 Revenue Act to bring members of the family, no matter how young, into a partnership by gift of a partnership interest, with consequent multiple splitting of income and tax savings. (Will the newer textbooks on business administration be printed on cloth, in bright colors?) Astute investors equipped with the best legal advice who are daily transmuting base metals of ordinary income into the gold of capital gains will not welcome the Senator's remarks on this subject. Even ordinary investors may resent his suggestion that withholding of tax, restricted so far to wages and salaries, be extended to dividends and interest. But Douglas' case in each instance is a strong one, from the viewpoint of public interest.

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The importance of achieving economy and eliminating tax favoritism is so great that one hesitates to suggest that the penalties for not doing so may be somewhat less than Senator Douglas implies. But would a deficit of $15 billion in 1952-1953, on top of a deficit of some $8 billion in the current year, " have an almost catastrophic effect upon American life ", because it would " give rise to a disastrous inflation " ? When the huge increase in the size of the money stock that was needed, in, or at any rate accompanied, the inflation of the past decade is recalled, it seems that the case is somewhat overstated. Similarly, the economic difficulties and dangers in raising additional revenue from an increase in the income tax, if that should be needed, are overstressed. But of course we should not need the threat of catastrophe to push Congress into a series of reforms so plainly needed, and into a long-term, detailed study of substantial changes in the technique of budgeting.

Finally, it is refreshing to read, in Appendix A, remarks from a senator on fiscal budgetary policy in prosperity and depression that make sensible use of Keynesian analysis, calling for surpluses in boom periods and deficits in depressions, but without rash assurance that all our troubles will then be over.

CARL S. SHOUP

COLUMBIA UNIVERSITY

The Control of Public Expenditure: Financial Committees of the House of Commons. By BASIL CHUBB. Oxford at the Clarendon Press; New York, Oxford University Press, 1952.—viii, 291 pp. $5.00.

This is a book—and a very good one—about " the institutions and procedures which the House of Commons has devised to assure itself that its orders and wishes are carried out by the administration precisely and economically."

The House of Commons has had two distinct problems to solve: one is concerned with the regularity of expenditure; the other with its economy. The House wants to know, in the first place, whether the administration has or has not complied with the directions of Parliament as to the manner in which the various grants to the Crown should be applied. Then it wants an assurance that the goods and services which Parliament has authorized the administration to obtain have been obtained at the lowest possible cost.

A complete solution to the first of these problems was worked out nearly a century ago. By requiring the submission to itself of appro-

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priation accounts showing the relation between grant and expenditure, promise and performance; by arranging to have these accounts audited by a great public department responsible only to itself; by scrutinizing through a committee of its own members—the Public Accounts Committee—the audited appropriation accounts and the reports of the auditor thereon; and by insisting that the responsibility of the accountants be real, the House of Commons has achieved a control over the detail of expenditure which our own Congress has never come close to attaining.

Mr. Chubb's book deals with this machinery of control from the viewpoint of the Public Accounts Committee. He not only exhibits the principles of the system but he shows how those principles have in fact been reduced to practice.

The second problem—that of introducing into financial administration economies consistent with policy—has proved more difficult of solution. Mr. Chubb shows that every effort of a parliamentary committee to make direct savings on the estimates has failed. The reason for this failure is not far to seek. The business of preparing estimates is essentially the province of the administration. Only the men who work the departments are in a position really to know what expenditure is needed to provide a given volume of goods and services. When the estimates are presented to the House the departments—and the Treasury also as the central controlling body—have already done their work. Presumably they have already effected whatever economies they think practicable. An Estimates Committee is therefore confronted by an impossible task. It has not the knowledge to criticize the estimates itself; it can get no expert assistance from those who have, because these are the very persons who have prepared the estimates. Nor can an Estimates Committee provide itself with an expert staff of its own. Such a staff could never be as well informed as the departments and the Treasury; unlike the departments it would not bear any responsibility for the expenditure it advised; at best it would be useless, and at worst dangerous.

It is only by abandoning the futile task of looking into the detailed estimates—of trying to do the Treasury's job over again—that the House of Commons has approached a solution of its second problem. The work of the Public Accounts Committee pointed the way. That Committee has never been content with the mere discovery and punishment of financial irregularities. It has never hesitated to study the methods of expenditure with a view to making helpful criticisms of financial administration and to proposing alterations of system designed

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to avoid repetitions of the objects of its censure. The unsuccessful Estimates Committees of 1912-1914 and 1921-1939 also did some useful work along these lines. The National Expenditure Committees which sat during the two World Wars—having no estimates to examine—did nothing else but this type of work.

Impressed by the lessons of experience, the present Estimates Committee, established in 1946, has continued the work of the wartime expenditure committees and confined itself to the study of systems to the exclusion of the study of estimates. It is indeed required by its terms of reference to "examine the estimates", but it has interpreted the word *estimates* to mean *current activities*.

Mr. Chubb shows why this Committee has organized itself differently from the Public Accounts Committee and explains in detail its procedures and techniques.

In general, his book falls into two main divisions—one historical, the other descriptive and normative. An American reader may be troubled by some of the technical terms of English finance; but this should not deter him. Mr. Chubb has avoided as much as possible all official technicalities of phrase. What terms of art he does use are fully explained in the *Epitome of Reports from the Committees of Public Accounts* and in the Treasury's *Notes for the Use of Accounts Branches*—two works which the student of English finance should always have at hand.

In conclusion I would say this: if our own Congress is ever to make real as well as nominal its constitutional power of controlling public expenditure, it could do no better than to begin its studies with a perusal of Mr. Chubb's book. Problems of this nature are not affected by a sea-change. Where the difficulties are the same, the solutions, too, are the same.

LUCIUS WILMERDING, JR.

PRINCETON, N. J.

Capitalism in America: A Classless Society. By FREDERICK MARTIN STERN. New York and Toronto, Rinehart and Co., Inc., 1952.—vii, 119 pp. 50 cents.

Mr. Stern formerly had many political, business and intellectual connections in Germany, which he left in 1933. He has lived in the United States since 1937. In 1945, in *The Junker Menace*, he published his ideas on his native country. He now offers a little book on the country of his adoption. Written in the literary form of letters to a French friend who contemplates turning Communist, it argues

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that capitalism as exemplified in the contemporary United States offers the world a better model than Marxism or communism. It is a personal book, written without prearrangement; but the State Department, the Voice of America and Radio Free Europe are currently using it, and translations have already been undertaken into seven European and eight Asian languages. Despite its popular form, propagandist purpose and decided preference for the United States, it is a serious work in which the data and concepts of history, economics and sociology are put to constructive use.

The author, meeting the Left on its own ground, holds that Marxism and the United States share the "common aim" of a just and classless society. He then points out with great emphasis, since he thinks it too little known abroad, that the American Revolution was not merely a revolt against Britain but an internal upheaval in which the American "caste and class system" was undermined. He dwells on the signs of real belief in equality in America today, so strange to Europeans, as in attitudes to each other of customer and salesgirl, or rider and taxi-driver. Ours, he says, is a society in which classes do not struggle. The common man has not been humiliated, as in Europe. Hierarchy has no place in the mores; upper-bracket people, having no status to defend, do not need to argue that lower-bracket people are natively inferior; the working man therefore does not despise or fear his wealthy neighbor; and since he does not believe that his labor benefits mainly the rich, he is willing to do his best on the job, with a resulting increase of production. The same argument is worked out in many other ways.

Mr. Stern holds not merely that capitalism and a classless society are consistent, but—well aware of how astonishing the idea will seem to his intended reader—that the purpose of a classless society "cannot be realized without capitalism." By capitalism he means the "mature capitalism" of today, in its most liberal manifestations, rather than the capitalism of a century ago; its hallmarks are a degree of separation between political and economic power, and a realization, on the part of all, that high production, mass purchasing power, coöperative spirit, and the recruiting of talent from all walks of life (that is, equality of opportunity) are practical requisites for the effective functioning of the system. Mature capitalism promotes equality, as the sense of equality helped capitalism to mature. Mr. Stern insists that there has never been, and need not be, a revolution against capitalism in this sense. Marxist revolutions, in Russia and China, he holds, have in fact, contrary to Marxist theory, been directed against the very

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autocracy, landlordism, servility and fixed-status society which mature capitalism itself has had to overcome.

Mr. Stern tries honestly to face all difficulties, including the Negro question. Readers of a learned journal may nevertheless find objections. Granting that America is what he says it is, it is not clear how Europe or Asia is to imitate us. Possibly less than justice is done to Marx's original analysis. Possibly the degree of struggle and discord in American history, though by no means ignored, is underestimated. But, in the reviewer's opinion, the book tells what ought to be told about the United States, and it is to be hoped that those still open to persuasion, in Europe and elsewhere, will be persuaded.

R. R. PALMER

PRINCETON UNIVERSITY

The Challenge to Isolation, 1937-1940. By WILLIAM L. LANGER and S. EVERETT GLEASON. Published for the Council on Foreign Relations by Harper & Brothers, New York, 1952.—xv, 794 pp. $7.50.

Current controversy, political and literary, much of which is in devious form a debate over the policies of the Roosevelt Administration, bears witness to the durability of the idea that it is regrettable that the United States should be involved in the quarrels of Europe. Indeed one may sympathize with this view, even though it is as relevant and useful as the general disapprobation of sin. Like Europe, America is of this world.

The behavior of the American people after the First World War affords the historian a unique example of collective surrender to wishful thinking. Supported by such factual data as the Nye investigation gathered, to cite but one typical example, American foreign policy might be summed up in the phrase, *pour vivre heureux, vivons cachés.* It was also a fact, however, that America wielded enormous power; but the implication that power entails responsibility was too unpleasant to face. The squirmings between existing reality and wishful thinking produced that strange offspring, the neutrality legislation of the second half of the thirties.

The pressure of a fast deteriorating situation abroad during this period and finally the outbreak of hostilities among major European Powers in 1939 put an increasingly severe strain upon the policy of isolation. The first phase of the record of the evolution from isolation to involvement is surveyed in this aptly titled book that covers the period from the "quarantine" speech of October 1937 to the

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conclusion of the destroyer-for-bases deal with Britain in September 1940.

The record is a tortuous one, and the characterization by the authors of one particular incident (the issue of help to Finland in the first Russo-Finnish war), "in the end, the government and the country cut a sorry figure" (p. 340) might well be applied to a good part of it. In fairness, be it said that the British and French records before 1939 were no less sorry ones. The Roosevelt Administration had the advantage of excellent information, fuller than that of other foreign offices, but the temper of opinion and the operation of constitutional limitations were effective brakes on action. This is especially true of the latter; President Roosevelt evinced a fear of Congress that caused him at times to lag behind opinion and stands in interesting contrast with his readiness to pursue certain domestic policies.

This hesitation is well brought out in the discussion of the steps leading to the destroyer deal. The decision to go through with it in the end, without prior Congressional assent, represents a masterpiece of political maneuvering. If the decision was an eminently sound political one, the manner of it, skating on thin legalistic ice, causes concern over the operation of our system and leaves a less than pleasant afterflavor. By contrast, such a view as that expressed by General Johnson is refreshing: "If we rely on England to that extent, in morality we should not confine our help to clever little schemes for a sleazy bootlegging of a few arms in violation of our own and international law. We ought frankly to declare war tomorrow" (p. 566).

This in fact points to the root of the matter and to the real issue that had to be faced; it was an issue far more vital than that of constitutionality of practice. American opinion had received a rude shock from the collapse of France, to which its reaction was less than creditable. The realization of the vital importance of Britain's survival was perhaps such as to make necessary the devious handling of the destroyer deal, in which case one may say that the country was fortunate in having a President willing to act as he did. Unfortunately, there is cause to suspect that the record will serve to feed the fires of controversy.

The authors are not concerned, however, with such controversies, but merely with presenting the story on the basis of an unusually full record that has been made available to them. As a study in diplomatic history, this may be expected to stand the test of time. Concerned primarily with an American problem—the challenge to isolation—of necessity the book deals also in large part with the record of European developments (to a lesser extent with Far Eastern) and that part also

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constitutes a record of the first order of quality. The sequel to the present initial study may be expected to be of equal interest and value, when the record of the demise of a hope will turn into that of the acceptance of responsibility.

RENÉ ALBRECHT-CARRIÉ

BARNARD COLLEGE
COLUMBIA UNIVERSITY

Chinese Communism and the Rise of Mao. By BENJAMIN I. SCHWARTZ. Cambridge, Harvard University Press, 1951.—258 pp. $4.00.

The Tragedy of the Chinese Revolution. By HAROLD R. ISAACS. Revised Edition. Stanford, Stanford University Press, 1951.—xv, 382 pp. $5.00.

Strangely little is known with definiteness about the development of the communist movement in China, considering the weight of its impact on international politics—raising the Korean affair from a minor punitive expedition almost to a major war—and on American domestic politics—provoking the most envenomed dissension the country has known in decades. Material in West European languages has been general and vague and not always based on much knowledge. Russian sources are warped. The Chinese sources brought to light till recently have been scanty and not too reliable.

Mr. Schwartz has made the first serious attempt to fill the need and done it creditably. He has worked from Chinese sources mainly, collating and reconciling them. He has brought together systematically what had been known before only sketchily and added much that was new. He uses his material with a sound critical sense and against a knowledge of Russian communist thought. He traces the course of the Chinese party from the almost accidental, if not capricious, beginning to the ascendancy of Mao Tse-tung, with the intervening period of typical but second-hand communist polemics and Chiang Kai-shek's recurrent campaigns to annihilate the Communist forces.

One thing stands out clearly. This is the artificiality, almost the falsity, of the communist movement at least in the early years. The first Communists were political and philosophical adolescents who snatched at ideas of every color in the ideological spectrum, snatching one after another and chattering equally superficially about each. The conditions for a revolution were present in China beyond doubt: some radical change was inevitable. But what came about between 1923

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and 1927 was almost accidental and on the whole spurious. There was an importation of alien issues on ideas superficially comprehended and violent polemics on abstruse questions of philosophy, tactics and strategy that may have had meaning in Russia but had no meaning at all in China. The verbalistic hair-splittings and medieval disputations of Moscow factionalism were reproduced in China, the healthy movement for national independence and social reform was distorted and the communist movement itself made sterile. Theoreticians in Moscow who knew little about China said that this had to be so in China or that; therefore Chinese in China parroted that this or that was so in China when plainly for all Chinese to see neither was so.

It was Mao Tse-tung who first put the Chinese movement in a Chinese setting, gave it a relation to Chinese social conditions and in a way naturalized it. But credit for that achievement, perhaps his highest, as well as for his ultimate victory, goes less to him than to developments both inside and outside of China that were beyond his control. First was Chiang's success in driving Mao and the small remnant core of his forces to the barren hinterland of the Northwest, where, cut off from other Communist groups and in effect from Moscow itself, he could be free from party factionalism and sectarian verbal polemics. Second was the Japanese invasion which gave him a legitimate excuse for increasing and spreading his armies and administrative organs coincidentally with fighting the common enemy. Most important was the degeneration of the Kuomintang government under Chiang Kai-shek, which made it possible for Mao Tse-tung to take over the country by default. Mao Tse-tung did not win China; Chiang Kai-shek lost it. In a sense the accession of the Communist régime is as artificial as its inception. But the results are the same as if it were genuine. China is a country under Communist rule allied with Russia, with all the international complications arising therefrom.

Nevertheless Mr. Schwartz's account is illuminating and Far East scholars are in his debt. For the first time there is an account of the rise of Chinese communism with background and substance.

Mr. Isaacs' book is a reissue of one published in 1938, when it deservedly received a good deal of attention, for it was based on his own observations of the events that led to the Communist-Kuomintang split, the elimination of Russian influence, and the proscription of the Communists. There is considerable revision, Mr. Isaacs having himself taken a revisionist attitude toward his earlier impassioned espousal of the Trotsky view of the Chinese revolution. Trotsky held that the Chinese revolution had to be conducted by the urban proletariat and

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power seized at once. That the urban proletariat was negligible, if existing at all, that it could not possibly have seized power, and that, if it had, an international intervention would have crushed it out of hand and perhaps precipitated war between Russia and the West—all this was nothing to Trotsky, the incontinent ideologue. Mr. Isaacs has now modified his own ideas. His book, out of print for many years, is now available once more, which is fortunate.

NATHANIEL PEFFER

COLUMBIA UNIVERSITY

Greece: American Dilemma and Opportunity. By L. S. STAVRIANOS. Chicago, Henry Regnery Company, 1952.—ix, 246 pp. $3.25.

The task which Dr. Stavrianos has set for himself is to explain the nature of Greece's domestic problems and to suggest the solutions which American policy should sponsor in connection with its extensive assistance program.

His argument, in brief, rests on the assumption that political stability will not be achieved in Greece until a concerted effort is made to increase the productivity of the Greek economy, and thus to raise the standard of living of the Greek people. Dr. Stavrianos demonstrates that, despite assistance from the West amounting to some two billion dollars in the period 1944-1950, Greece is still bankrupt. He cites figures to show that by 1949 the pre-war level had not yet been attained in the output of agriculture and industry, in foreign commerce, or in national income, despite the fact that Greece possesses significant natural resources and technical skills. The author recognizes that there are many economic reasons for Greece's plight, but he believes that the fundamental difficulty lies in the corruption and maladministration of the Athens administration. He is convinced that British policy supported corrupt régimes after 1944 because they were believed to be safer allies than such dynamic coalitions as the E.A.M. (National Liberation Front), and he finds no reason to believe that the United States has done much better since 1947. The American dilemma, as he sees it, is whether to play safe and preserve the *status quo,* or to sponsor a fundamental modernization of the Greek economy, and he warns of the danger that the Greek people may abandon their government in a moment of crisis if their economic problems are not attacked more vigorously.

Few would question the underlying approach of Dr. Stavrianos to the dilemma faced by the United States in many of the Mediterranean

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and Middle Eastern states, but his discussion of the Greek case is weakened by the polemical tone of the political narrative and by the sketchy treatment of economic problems. While he stresses the shortcomings of the policies of the British and of the Greek royalists, he does not give a clear impression of the available alternatives. He does not maintain that the British should have supported the E.A.M., which he recognizes to have been controlled by the Communist party. At the same time he criticizes all the steps taken to suppress the E.A.M., and he tends to take their offers of compromise at face value despite the accumulated evidence regarding Communist tactics. If neither the E.A.M. nor the British-sponsored cabinets were acceptable, what was the alternative during the crisis of 1944-45? No clear answer is given to this question, and hence the criticism of British and later American policy loses much of its impact.

This intense preoccupation with British policy during and after the war occupies the greater part of the volume, and is stressed at the expense of Greece's economic problems. It is easy enough to point to the malpractices of the government in Athens, but it is quite another matter to outline a viable program of economic development. The problems of the Greek economy are in some respects unique, depending as they so largely do on a few specialized exports. Criticism of current policies can therefore carry little weight unless it is accompanied by a thorough consideration of alternative proposals.

These shortcomings weaken the case presented by Dr. Stavrianos, but they certainly do not destroy it. The dilemma for American policy is a real one, and the author has drawn on his extensive knowledge of Greek politics to present issues which are deserving of most serious consideration.

C. E. Black

Princeton University

Near Eastern Culture and Society: A Symposium on the Meeting of East and West. Edited by T. Cuyler Young. Princeton, Princeton University Press, 1951.—x, 250 pp. $4.00.

This strangely misnamed volume, which is issued as Volume XV of the Princeton Oriental Series, consists of papers prepared for a three-day Conference at Princeton, in March 1947, on the relations of the Islamic World with the West, particularly in modern times. The Conference was part of the Princeton bicentennial celebrations, when the occasion was taken to bring together a goodly number of students interested in current problems in the Islamic world. The papers were

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doubtless followed by discussion at the Conference, and some of them read as though they were meant to introduce discussion rather than themselves discuss in any adequate way the subject proposed for consideration. It is true that in an introductory paper the general editor refers briefly to earlier and more important currents of cultural influence flowing from East to West and from West to East, but the papers are concerned exclusively with one element in Near Eastern Culture and Society, namely the Islamic world of the Near East and North Africa in its contacts with the West.

The book falls into two parts. After the introductory chapter which sets the stage, the first part consists of five papers which discuss the rise and progress of Islamic studies in the West, in particular how the West came to such acquaintance as it has with Islamic art and archaeology, Islamic literature in Arabic and Persian, the scientific disciplines which were mediated by writers in Islamic lands from the tenth to the fifteenth century, and the religion of Islam, its Prophet and its Holy Book. To many readers it will probably come as somewhat of a surprise to discover how much was known in Europe, directly or indirectly, about the civilization of the Eastern Caliphates as well as of the Moors in Spain, and though the two papers on art and on science are somewhat inclined to "enthusiasm", it is good to be reminded of this. The paper on art and archaeology is beautifully illustrated with excellent reproductions. The second part of the book consists of six papers and a concluding essay. Three of these papers discuss what the reactions to Western influences have been in modern Turkey, Persia and the Arab world, while three discuss the present situation in these lands as regards national and international relations. In this part of the book three of the papers are by native inhabitants of the lands concerned and so have the added interest of allowing the reader to see how these problems present themselves, not to an onlooker from the West, who often feels how inadequate is his background for a judgment on these matters, but to persons who were born and brought up in the living context of Muslim lands and can understand things from within. In a final paper Professor Gibb of Oxford attempts a summary of the present situation with a tentative glimpse at what the future may promise.

There are strangely conflicting currents active in the Islamic world of today, some of them, though small in size, yet moving strongly toward reform and readjustment, but others reactionary and hopelessly confused. Many of the recent upheavals in this area are obviously the surface manifestations of these confused and churning currents under-

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neath, and such studies as this book presents are welcome as a contribution to a better understanding of at least some of the problems involved in the present situation in the Islamic world.

The Princeton University Press has printed the book well, but the present reviewer has noticed a goodly number of mistakes, particularly in the matter of foreign words and names, which escaped the editor.

ARTHUR JEFFERY

COLUMBIA UNIVERSITY

The United States and Turkey and Iran. By LEWIS V. THOMAS and RICHARD N. FRYE. Cambridge, Harvard University Press, 1951.—xii, 291 pp. $4.25.

From ancient time to the present day the area of the Middle East has played an important part in the imperial expansion of Great Powers, including the Persian and Ottoman Empires. Until recently, because of lack of commercial and political contacts, the United States did not have any special interest in Turkey and Iran. Mr. Sumner Welles, however, rightly states in his Introduction to the book under review that "most Americans now see clearly that the maintenance of world peace will in no small measure hinge on the ability of the Turkish and Iranian peoples to preserve their integrity and freedom and to resist successfully the increasing pressure which emanates from Moscow."

The reader finds in this volume two separate books, one on Turkey by Mr. Lewis V. Thomas and the other on Iran by Mr. Richard N. Frye who are experts in their respective fields. These studies are for the general public as well as for those students who are interested in gaining general knowledge of the history, economics and politics of these two countries. The section on Turkey is covered by 170 pages which also include three appendices on "General Information about Turkey", "Turkish Constitution", and "Suggested Readings". The section on Iran is compressed into 110 pages which include five short appendices. Among them are Articles 1 and 2 of the Supplementary Fundamental Laws to the Iranian Constitution, which indicate the place of Islam and the influence of religious leaders in Iranian life; the Anglo-American-Soviet Declaration Concerning Iran, December 1, 1943; and suggested readings.

Both Turkey and Iran have many internal problems to solve; but the future stability and survival of the peoples of these lands depend ultimately upon the international situation, upon factors which they themselves can, at best, only partially control. Turkey, even with the

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support of her Asiatic neighbors, cannot protect herself from any Russian aggression. She rightly felt that American aid to develop her defense forces and industries was necessary. Through this aid, Turkey has become a powerful and stable factor in the Middle East. The Turks have been pressing for their entrance in the North Atlantic Pact; and it is gratifying that this has happened. As a result her defense has been strengthened, and she has become a factor in the total defense of the Mediterranean.

Since the days of Peter the Great, Russia has been pressing toward the Persian Gulf and thus to the Indian Ocean; and Soviet Russia is determined to gain this end by increasing her influence in Persia. On the other hand it is clear to all that the Anglo-American policies are to prevent Russia from getting control over Persia, not only for strategic reasons, but also for the reason that Persian oil resources must not be controlled by Russia and used against the Atlantic Pact Nations, including Turkey.

The late Riza Shah of Iran, who will do down in history as the modernizer of present-day Iran, maintained that Turkey, Iran, Iraq and Afghanistan should coöperate to preserve their national independence. This idea was given the needed concrete form in the Saadabad Pact (of 1937) of friendship and non-aggression among these Powers. To check Russian aggression in the Middle East, the Saadabad Pact Powers must have support from the North Atlantic Pact Powers and India.

The author discusses the Anglo-Iranian oil dispute up to the time of nationalization of oil by the Iranian government. He points out, however, that in 1949 the total income of the Anglo-Iranian Oil Company was £79 million sterling. Of this amount a sum of £17 million was used for operating expenditure. Thus the net income was £62 million sterling. Of this sum, the company paid British income tax to the amount of £28 million or more than 43 per cent of the net income. It also put away £17 million sterling or more than 27 per cent to the reserve fund while £10 million or a little over 16 per cent was paid to the Iranian government while £7 million sterling or about 12 per cent of the income was distributed among other shareholders. (It must not be forgotten that originally nearly 52 per cent of the shares belonged to the British Admiralty.) Thus the British government received nearly 50 per cent of the net income while the Iranian share was about 12 per cent.

At the beginning the Iranian demand was that the royalty should be increased; but the British authorities were dilatory in bringing

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about the changes. As a result of this, the Persian Parliament passed a law to nationalize the oil resources of the country. The Persian government did not want to expropriate the properties of the Anglo-Iranian Oil Company. This is quite evident from the fact that the Persian Parliament made a provision that 25 per cent of the operating profit of the Iranian national oil concern will be set aside to meet compensation claims of the Anglo-Persian Oil Company.

As things stand today the Anglo-Iranian oil dispute is far from being settled. However from the standpoint of American interests, it is desirable that Iran be as true and coöperating a friend as Turkey. Will American statesmanship be able to bring about an amicable settlement between Iran and Britain, so that Iran may not be thrown in with the Soviet Russian bloc of Powers?

TARAKNATH DAS

COLUMBIA UNIVERSITY

Belgian Foreign Policy Between Two Wars, 1919-1940. By JANE K. MILLER. New York, Bookman Associates, 1951.—337 pp. $5.00.

A large number of volumes have by now appeared dealing with the foreign policy of the various European countries in the inter-war period. The present volume seeks to fill in the details of Belgian foreign policy in these highly significant but as yet far from completely understood years.

After an introductory chapter on the Belgian domestic scene between 1918 and 1940, Miss Miller deals in some detail with the important aspects of Belgian policy over the decade following the end of the war: the Belgian attitudes at the Peace Conference and toward the League; war debts, reparations and the search for security under Locarno. The final four chapters are devoted to the reorientation of Belgian policy from 1933 on, away from reliance on the League system of collective security, or a return to a pre-war position of guaranteed neutrality, to an independent policy. The full effect of this could scarcely be felt of course before it was destroyed by the German invasion.

Unfortunately, too little space in the work is given to this later development of Belgian policy. While the earlier chapters contribute valuable details of the Belgian reaction to the problems of Europe between 1920 and 1930, the broad picture of the war debts, reparations and Locarno problems have been amply covered and are well known.

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Much less information is available on the complex effects of the indication of the Belgian desire to act independently of the League and to be released from her Locarno commitments. The position of France and to a lesser extent that of Britain were immediately affected in that the new policy caused grave doubts in both countries of Belgium's intentions in the face of the rising German threat.

The volume is characterized by factual accuracy and thorough documentation. However, the reader misses that vital element which transforms the documentary fact into living history. At few points does the author seek to interpret the facts brought forth. Many of the statesmen who made Belgian policy during the inter-war years were important not only at home but on the world scene, yet the individual personality which in some degree prompted and conditioned their actions scarcely appears. Of the leaders discussed only the King appears as a living figure; the others remain shadowy and somewhat remote from the actions in which they are involved. Through frequent reference to press reports, public reaction to policy changes is more clearly brought out. It is possible, of course, that the events described could have been rendered more vivid had confidential documents been available, but even with the material at hand the author might well have indulged in at least some speculative interpretation.

From a factual viewpoint the study fulfills a valuable purpose. It is to be hoped that with the availability of heretofore confidential sources it might be widened into a story not only of the events of Belgian policy, but of the persons who played such a large rôle in bringing those events about.

The work is enhanced by an excellent bibliography, regrettably marred by a poor job of proof reading.

L. GRAY COWAN

COLUMBIA UNIVERSITY

The Hapsburg Monarchy, 1867-1914. By ARTHUR J. MAY. Cambridge, Harvard University Press, 1951.—x, 532 pp. $6.00.

Professor May's book is a comprehensive and readable history of Austria-Hungary from the establishment of the Dual system to Sarajevo.

It does not take much time to realize that the book was written after a thorough study of the available materials. Professor May had at his disposal a large number of analytical studies in English, German and French. There is in his footnotes and bibliography no evidence of acquaintance with the non-German languages spoken in the area,

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Slavic, Magyar or Rumanian. The narrative is clear and well proportioned. An almost equal number of pages has been given to each of the three principal themes, to the internal history of the western monarchy, called for brevity's sake Austria, to the developments in Hungary, and to the external policy of Austria-Hungary, conducted, with Francis Joseph's approval, by the imperial and royal ministers of foreign affairs. Students of modern European history will certainly welcome the new book and keep it on the shelves along with Oscar Jászi's *Dissolution of the Habsburg Monarchy* and A. J. P. Taylor's outline, *The Habsburg Monarchy, 1809–1918*.

It is really to be regretted that such a serious book begins with an inaccuracy. What opened the long reign of Francis Joseph, on December 2, 1848, was not a coronation as Emperor of Austria but a less spectacular act of abdication by Ferdinand V in favor of his eighteen-year-old nephew. It was one of the anomalies which characterized the highly complicated structure of the Dual monarchy that Francis Joseph, while crowned solemnly as King of Hungary, never was seriously interested in accepting the visible symbol of his imperial dignity. A study by Heinrich Friedjung, *Die österreichische Kaiserkrone* (Historische Aufsätze, Stuttgart, 1919, pp. 9-23) sheds some light on this important problem.

It is most likely that the principle *quieta non movere* was the main reason for the monarch's hesitation to be crowned as emperor. Some extremely delicate questions would have arisen if Francis Joseph had submitted to the elaborate ceremony. As the matter was left in abeyance, the Kingdom of Hungary was consolidated by the Magyar political leaders and remained their stronghold until October 1918, whereas in the Austrian half of the monarchy centralistic efforts foundered on the growing consciousness of the German nationalities. It should be borne in mind, too, that the monarch was not only Francis but also Joseph and that he followed in the footsteps of Joseph II more often than the court historiographers and their American imitators have been willing to admit. A strong dislike of pomp was one of the distinct traits of Joseph's personality.

Professor May writes with great skill and competence on political events and is at his best when he depicts the personal life of the monarch and the easygoing habits of the Austrian aristocracy. The cabinets, both in Austria and in Hungary, parliamentary elections, efforts of the successive prime ministers to secure a working majority in the representative bodies, nationality struggles and party maneuvers—these and many other aspects of public life aroused lively interest

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among the contemporaries and were reported by both the metropolitan and the provincial press. Many colorful facts can be gleaned from the rich crop of pamphlets and magazine articles. Professor May made full use of such sources. But passages on economic problems lack in depth and his brief descriptions of intellectual life are disappointing. Such errors as the statement (p. 55) that Stanislaw Przybyszewski was born in Russia (he in fact originated from the Prussian-controlled part of Poland), and that Wyspiański was Przybyszewski's foremost disciple, detract from the value of these sketches. As many typographical errors have been left uncorrected, anyone using Professor May's book would be advised to verify the non-German names before quoting them from his text.

We do not wish to dwell on minor blemishes or enumerate details which should be corrected. Professor May endeavored to distribute fairly the light and shade. But he has written, perhaps unwittingly, an apologia of the Dual system and of its functioning. His book is unduly optimistic and contributes comparatively little to the knowledge of the causes of the gradual disintegration of the Habsburg Empire and of its ultimate collapse in the autumn of 1918.

Otakar Odlozilik

Columbia University

The Foreign Policy of Palmerston, 1830-1841: Britain, the Liberal Movement and the Eastern Question. By Sir Charles Webster. London, G. Bell & Sons, Ltd., 1951. Distributed by British Book Centre, Inc., New York.—2 Vols. xii, vii, 914 pp. £3 3s.; $12.50.

These two substantial volumes on the diplomacy of Lord Palmerston, 1830-1841, are fitting companions to Sir Charles Webster's earlier studies on the foreign policy of Lord Castlereagh, 1812-1822. Both periods were crowded with events on the international scene; and in both eras the British foreign policy was skillfully directed by masterful men. But, whereas in 1822 Lord Castlereagh died tragically by his own hand at a time when Britain was diplomatically isolated, in 1841 Lord Palmerston retired from office with the Melbourne ministry in the plenitude of his power having won a remarkable diplomatic triumph in the settling of the Straits Question.

In November 1830, when Lord Palmerston became British foreign secretary, Europe was in the midst of political upheavals which threatened its peace and foreboded action by the Eastern Powers, Austria,

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Prussia and Russia—action that might crush liberal movements everywhere and impose a blight on the cultural and political life of the European continent. That neither of these dread alternatives materialized was in a large measure due to the ability, courage and resourcefulness of Lord Palmerston.

The Low Countries, Portugal, Spain and the Near East were the critical areas where Britain under Palmerston's guidance interfered decisively. The hapless Poles who rose in 1830 against Russia were left to their fate, not because Palmerston failed to sympathize with their plight, but because he foresaw that British intervention could not change the outcome of the Polish revolution. Moreover, at that very time the Belgian uprising against the union with the Netherlands presented Palmerston with a series of pressing and complex problems. Equally intractable were the difficulties of Portugal and Spain. But, with the sometimes reluctant coöperation of France, Palmerston checkmated the Eastern Powers; the Belgian kingdom was established; and the form of liberal government preserved in the Iberian peninsula.

Sir Charles Webster retells these old stories with a wealth of new information gleaned from Palmerston's papers at Broadlands and from other private and public collections of manuscripts. Multifarious details are deftly fitted into the narrative. The study concludes with a summary and appraisal of Lord Palmerston's achievements, 1830-1841. And five appendices contain illuminating selections from sources.

Although Sir Charles depicts the achievements of Lord Palmerston on a large canvas, he does not cover the entire field of British diplomacy in the 1830's. The Middle East is dealt with in a perfunctory way; the Far East, the Americas, and Scandinavia are barely mentioned. In view of the author's emphasis on Anglo-Russian relations, it is surprising to find that he ignores Palmerston's watchfulness of possible actions by Russia in Baltic and Scandinavian lands.

During most of the 1830's, Britain and France formed a liberal bloc. The French revolution of 1830, which overthrew Charles X and placed Louis Philippe on the throne of France, and the British Reform Bill of 1832 were anathemas to those great upholders of the *status quo*, Metternich of Austria and Tsar Nicholas I of Russia. The researches of Sir Charles reveal, however, that King Louis Philippe was not a dependable ally of Palmerston. On the contrary, more than once the king of the French sought Russian friendship, but was repulsed by the mighty ruler of all the Russias who never relented in his contempt and hatred of Louis Philippe. Among the French statesmen of the period only Broglie seems to have coöperated wholeheartedly with Palmerston.

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Fortunately for him, Austro-Russian friendship was shaky. No amount of diplomatic doubletalk by Metternich could hide the fact that his country and Russia were rivals in the Balkans—a rivalry utilized to Britain's advantage by Palmerston and his able representative in Constantinople, Lord Ponsonby.

Lord Palmerston encountered difficulties at home as well as abroad. The two prime ministers under whom he served, Grey and Melbourne, especially the former, often held views which differed from those of the foreign secretary. King William IV stubbornly refused to be a mere cipher when relations with foreign countries were discussed. And before the end of the 1830's King Leopold of Belgium offered advice to his niece, Queen Victoria, on diplomatic issues which did not always please Palmerston. Recalcitrant colleagues, notably Edward Ellice and Lord Holland, intrigued and gossiped in ways often highly embarrassing to the foreign secretary. Nor did he always have the full support of the British representatives at foreign capitals.

Lord Palmerston came to the foreign office without experience in the great game of international diplomacy. He faced old and past masters at this game, masters such as Metternich and Talleyrand, but he outwitted and defeated them time and again. His amazing good temper, abundant energy, extraordinary resourcefulness, steady nerves, and unfaltering courage gave Palmerston a substantial advantage over the jaded representatives of a bygone age. Most patently he, too, represented a past soon to vanish, a past when British aristocrats were scornful alike of crowned heads and their minions and of demos. But that was a stage not reached by Austrians, Prussians and Russians. Hence Palmerston was looked upon by them as a revolutionary.

Contemptuous of ideologies, Lord Palmerston blatantly proclaimed that his chief aim was to serve the interests of Britain. As it happened the establishment of constitutional government in foreign lands and their adoption of free trade were deemed progressive measures in the 1830's. These innovations also served British interests. It should be observed, however, that for all his cynicism, Lord Palmerston had a healthy hatred of tyranny and of human slavery. His efforts to destroy the slave trade deserve, indeed, fuller treatment than they receive in the work under review.

On some points Sir Charles corrects or differs from opinions concerning events and policies of the 1830's expressed by Professors Bell, New, and Temperley. He is often sharply critical of Palmerston's first biographer, Sir Henry Lytton Bulwer. Sir Charles deflates Metternich and Talleyrand, and reduces the stature of Lord Durham and some others.

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Although in the years 1830-1841 Lord Palmerston scored great diplomatic triumphs, Sir Charles Webster does not place him in the top flight of British foreign secretaries. Palmerstonian failures at later dates deprive the hero of the 1830's of a secure place on that pedestal.

Sir Charles Webster's scholarly work contains much new information about a past age. It stimulates reflection on the character and nature of diplomacy and of international relations. It makes one wonder if, in the 1930's, those in charge of British foreign affairs had had the courage and skill of Palmerston in the 1830's, the world of today might not be a different and a better one.

PAUL KNAPLUND

THE UNIVERSITY OF WISCONSIN

Genesis and Geology: A Study in the Relations of Scientific Thought, Natural Theology, and Social Opinion in Great Britain, 1790-1850. By CHARLES COULSTON GILLISPIE. Cambridge, Harvard University Press, 1951.—xv, 315 pp. $4.50.

The struggle for intellectual autonomy recurs frequently in the History of Science as each field establishes the right to organize itself on principles based on the evidence within its own domain. In the history of the social sciences, the eighteenth century presents attempts to interpret political systems in the light of Newton's system of the world, and after 1859 the school of social Darwinism tried to impose zoölogical interpretations of the struggle for existence and the survival of the fittest upon the study of human society. The history of geology from 1790 to 1850 shows a struggle over analogous attempts to interpret the history of the earth in theological terms. *Genesis and Geology* gives a thorough and illuminating account of the conflict between theological beliefs and geological evidence as they touched on the history of the earth.

Mr. Gillispie presents persuasive evidence to show that the major theological issue was not so much a fundamentalist defense of the Book of Genesis as a source of scientific truth as it was a position aptly termed "providential materialism". This involved the assumption that an important duty of geologists was to provide material proofs of the existence of God through evidence of the direct interference of Providence in the determination of earth history. During this period much discussion was devoted to the theme of the evidences of design in nature. The Reverend William Paley's *Natural Theology; or, Evidences of the Existence and Attributes of the Deity Collected from the Appearances of Nature*, and the eight Bridgewater Treatises, which

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included the Reverend William Buckland's *Geology and Mineralogy, Considered with Reference to Natural Theology* were outstanding examples, the very titles of which convey the point of view of the period. When we remember that the older universities were so closely integrated with the Anglican Church that it was almost a matter of course that William Buckland and Adam Sedgwick, professors of geology at Oxford and Cambridge, were both ordained priests, we can appreciate the fact that this intellectual confusion between scientific and theological standards reflected a genuine duality of obligations to science and church. Keeping in mind this atmosphere, which Gillispie so ably presents, we can better understand the resistance to those uniformitarians who strove to establish geology as a science to be explained solely in terms of natural processes open to direct observation.

Gillispie's book opens with a brief survey of the eighteenth-century currents of natural theology which were so clearly summarized by William Paley. Then follows the great controversy between the Neptunists and the Plutonists as to whether water or fire was the primary agent responsible for forming the rocks of the earth's crust. The Neptunists' belief in the power of water made them sympathetic to the development of catastrophism. This school pictured periods in which the mountain ranges were swiftly unheaved with devastating violence attended by great floods, comparable to the deluge in Genesis. These were believed to be catastrophes which wiped out the dinosaurs and later the mammoths to make room for the present animal population of the earth.

Charles Lyell's uniformitarianism, which rejected catastrophes and insisted upon slow change by the quieter processes of erosion and earthquakes on a scale known to history, seemed very sober in contrast. Yet even though Professor Henslow of Cambridge disagreed with Lyell, he gave young Charles Darwin a copy of Lyell's *Principles of Geology* to take on the voyage on *The Beagle*. While further attempts to apply theology to geology were being made by other writers, Darwin was quietly working to extend geological uniformitarianism to biological evolution. In 1859 the evidence was presented; for future generations of scientists the verdict was easy.

Genesis and Geology is a penetrating study based on thorough mastery of source materials. The appended bibliographical essay gives an excellent introduction to the source material. This book presents an unusual combination of valuable synthesis and sparkling style.

ROBERT C. STAUFFER

UNIVERSITY OF WISCONSIN

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Raymond of the Times. By FRANCIS BROWN. New York, W. W. Norton and Co., 1951.—x, 345 pp. $5.00.

The early newspaper editors of New York City have written some of the most significant chapters in the history of American journalism. In the first half of the nineteenth century there appeared in Gotham a galaxy of four stars, Horace Greeley, James Gordon Bennett, J. Watson Webb and Henry Jarvis Raymond. As journalism in those days was highly personal, the leading papers were but the printed reproductions of the minds and personalities of their editors. Readers entered into personal relationship with these mentors and accorded to their editorial pages an importance which they do not have today. The biographies of these journalists, therefore, can be historical documents of unusual significance. Unfortunately biographers heretofore have concentrated their attention almost exclusively upon Greeley; so this study of Raymond is very welcome.

The future editor of the *Times* was born in a strict Presbyterian household in rural New York and had a good education at the University of Vermont. He had no difficulty in convincing himself that journalism was his career, and going to New York at the age of twenty he became an employee of Horace Greeley in 1840 and then of Colonel J. Watson Webb of the *Courier and Enquirer.* By 1851 he had established a journal of his own, the ever-increasingly famous *New York Times.*

Among the famous New York journalists, Raymond achieved a unique position. Instead of seeking circulation by vigorous partisanship, zeal for reform or crass sensationalism, he undertook to create a newsy, matter-of-fact, even-tempered family newspaper which people would find informative and trustworthy—and unoffending to the rather prudish morality of the age. In this he was eminently successful; but in much else he was not.

Side by side with this journalistic ambition flourished a passion for politics, but passionless politics. For politics Raymond had the qualifications of shrewdness, high oratorical skill, brains and personality. All he lacked were partisan blindness, robust health and ruthlessness. He went to the New York legislature and became speaker of the House and lieutenant governor but he never became governor. He went to Congress but never became Senator. He achieved high place in national party councils but never appreciable appointments for services rendered. Somehow he never reached his political goals. Nor was he successful in his marriage and he drove his frail body to death at the early age of forty-nine.

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This biography gives keen insight into Raymond's journalistic capacities, his techniques and his reportorial enterprise. We also learn much of politics, of his patron W. H. Seward, of New York political methods, of the formation of the Republican party there. On the national stage we look behind the scenes and watch Raymond's cooperation with Lincoln particularly in the operation of the campaign of 1864. There is the story, not too complete, of the part which Raymond played in the Johnson Administration and the battle over reconstruction. Then too there are scattered glimpses, more suggestive than descriptive, of the editor's involved private life.

Mr. Brown, himself of the *New York Times,* has told this strange story of success and failure with sympathy and candor. He has had exceptional opportunities to secure access to the surviving evidence and he has endeavored to fit Raymond's career into the furious and finally tragic years which he reported and commented upon in his journals. This biography is conscientious, thorough, marked by good judgment, impeccable taste, perhaps too impeccable, and excellent writing but somehow Raymond himself does not emerge too clearly. For there remains still unsolved the interesting puzzle in personality presented by the absence of intellectual and political passion in a man who seemingly was so physically consumed.

ROY F. NICHOLS

UNIVERSITY OF PENNSYLVANIA

The Estates General of 1560. By J. RUSSELL MAJOR. Princeton, Princeton University Press, 1951.—viii, 146 pp. $2.50.

In this brief but valuable volume, Professor Major examines the various phases of the Estates General of 1560 in their historical context of French governmental policy and institutional growth. The volume is presented to the scholarly world as but a small part of a much larger project which its author has undertaken, namely, an analysis of the history of the French Estates General from the standpoint of comparative institutions, in an effort to determine why representative bodies developed successfully on a national scale in England but were ultimately abortive in France. Appropriately, the author finds the sixteenth century to be the key moment for his investigations, since it was then that the "new" monarchs were developing governmental policies which were to determine the fate of representative institutions in their states during later centuries. This volume presents only the first phase of this very large project, since detailed treatment is limited chiefly to the Estates General of 1560. Further-

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more, it is based entirely upon the published collections of documentary materials and secondary sources. Thus, the author's conclusions are presented as tentative hypotheses, pending further research in the appropriate manuscript materials. However, even at this stage, his interpretation of the historical position of the Estates General will give the interested reader considerable food for thought.

In his first four chapters, Professor Major examines the circumstances under which the Estates General of 1560 were held. The first chapter, which serves as an introduction to the work, is devoted to previous institutional developments and the policies of the "new" monarchs of the Renaissance. The treatment of these complex matters is necessarily quite general and leaves many questions unanswered, although the author is correct in representing the Estates General as an instrument used by the French monarchs in combating the ever-present provincialism which sharply limited the central authority. This interpretation is supported in the next two chapters which show that the governors of France, who ruled in place of the young Francis II, believed that such an assembly would forestall the various opponents of the régime, and would therefore serve to strengthen the central authority rather than weaken it. The fourth chapter is devoted to the election of deputies to the assembly, and contains the most intensive research of the book. Here the author painstakingly revises the "classical" description of the process of election by showing that the peasants were allowed to participate only on very rare occasions, and that in many districts the proctors who represented each of the three estates were chosen in a general assembly of all three groups. As a result, it is stressed that each deputy represented not only the interests of his social estate but also those of the province or community. The fifth and sixth chapters discuss the procedures which were followed during the Assembly of 1560. It is shown that the three estates met separately and prepared an individual *cahier*—a procedure which Professor Major finds an unfortunate departure from previous practice. Also, the competence of the Estates General is analyzed, in an effort to account for the relative futility of this assembly. It is shown that the legislative authority of the body was restricted to merely that of petition, while its competence regarding taxation was so limited that any solution of the pressing financial problem was quite impossible.

In his conclusion, Professor Major attempts to evaluate the factors which prevented the growth of representative institutions in France on a national scale. Brushing aside such older explanations as the ad-

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verse influence of Roman law, the lack of political experience among the deputies, procedural difficulties and the historic frictions among the three estates, he would find the true explanation in the failure of the Estates General to strengthen the monarchy. The rulers summoned the body only when they thought it would alleviate a governmental crisis, but the deputies refused to vote the needed taxes—a development rendered inevitable by the refusal of the provincial assemblies to grant adequate powers to their representatives in the larger institution. Thus, the author concludes that the Estates General were rendered abortive by the provincialism which they were created to combat. With patriotism and communal sense of responsibility restricted to individual provinces, the Estates General were denied participation in the central government even to the restricted degree desired by the monarchs of the sixteenth century. With these views, the present reviewer finds himself in general agreement. However, since these interpretations are presented as hypotheses only, it would seem fitting to suggest that the documentary materials might well be investigated further concerning the degree to which the practice of uniting into a single body the deputies from all three social estates in local and national assemblies brought about a fusion of interests and an elimination of class frictions, the reasons why this procedure was not always followed, and any evidence that provincialism and class consciousness were being overcome by the royally focused patriotism so characteristic of the Renaissance. Also, from the standpoint of comparative institutions, it would be well to compare in greater detail the French Estates General with the English Parliament regarding their respective powers and procedures concerning legislation and taxation, and the relations of both institutions with the conciliar government of the period. These matters await further clarification. In its present form, however, the volume shows very considerable insight into the complexities of sixteenth-century constitutional history and provides the basis for a valuable reinterpretation of a neglected portion of Western institutional development.

WILLIAM F. CHURCH

BROWN UNIVERSITY

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BOOK NOTES

Few figures of the nineteenth century have exercised such potent intellectual influences as has John Stuart Mill. In philosophy and the social sciences, his is still a commanding voice. Yet we lack a comprehensive biography of this seminal figure. Professor F. A. Hayek's *John Stuart Mill and Harriet Taylor: Their Correspondence and Subsequent Marriage* (Chicago, The University of Chicago Press, 1951; 320 pp. $4.50) supplies considerable material for such an essential work. It presents unpublished correspondence between Mill and the woman who first entered his life as Mrs. John Taylor and later became his wife. In his famous *Autobiography*, Mill pictured her as one of the greatest women of all times. He described Harriet Taylor as a greater poet than Carlyle and a greater thinker than himself, and asserted that she had exercised a tremendous influence over his own views in matters of most importance. However, he furnished little concrete evidence to justify his opinion, and readers have generally been skeptical of his estimate. The correspondence published in this volume bears out Mill's judgment to a certain extent. Here is found sufficient evidence that Harriet Taylor possessed strong intellectual character and persuasive powers, and that she was an important influence in making Mill the fountainhead of the modern liberal tradition. She belonged to that group of intellectual women of early nineteenth-century England who successfully crystallized a science, whether chemistry or political economy, into its "first principles", for popular consumption. Harriet Taylor's critical abilities were quite far ranging. Thus for example, in 1849 she criticized Mill's objections to socialism and persuaded him to moderate them for the second edition of the *Political Economy;* at the same time, she wrote her then husband, John Taylor, a wholesale druggist, concerning the great California gold discoveries: "Do you suppose this Californian discovery will make any change in the value of money for some time to come? If it continues, I suppose it will lower the value of fixed incomes, but I suppose benefit trade. If I were a young man, I would go there quickly . . . there must be some fine opportunities for placing *goods* and especially drugs, in the *placiemento.* Are you going to send out quinine?" As Professor Hayek says, "She has some real understanding of economic problems." Professor Hayek has performed the difficult task of editor with that same high skill that has distinguished his work in economic theory. To help

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illumine the relationship between Mill and Harriet Taylor, he has also included a substantial amount of their correspondence with others. Not the least of the many excellent features of the volume are the editor's introductions and notes which give us a revealing picture of the great age in which Mill moved.—JOSEPH DORFMAN, Columbia University.

The Ukrainian Revolution, 1917–1920: A Study in Nationalism (Princeton, Princeton University Press, 1952; xi, 363 pp. $5.00) by John S. Reshetar, Jr., is an extremely valuable book, for it traces the development of the spirit of Ukrainian nationalism and independence from the early days of the Russian Revolution to the final peace between the Poles and the Soviets at Riga in the fall of 1920. With infinite pains the author has tried to combine into a coherent story the tangled personal and political oppositions and the mistakes and misunderstandings not only on the part of the Ukrainians but also of the representatives of the great Powers during these years. The result is a story of heroism and idealism often marked with sordidness and unjustified violence, but Dr. Reshetar has recognized that there was a certain conception of honor and of patriotism in the leaders of the conflicting movements. The national revolution was competing against a social-economic revolution and the leaders of each struggle maintained all possible views as to the other. This fact and the inability of the leaders to agree or compromise on the primary issues doomed the movement but left Ukrainian nationalism as a vital factor in the country. The political inexperience of the leaders and the lack of understanding of the followers, the great mass of the peasants, were the primary cause of the confusion. It is not disparagement of the book to say that it improves as it goes along and particularly after the Bolshevik Revolution. The year 1917 was one of false starts, for neither the Ukrainians nor the Provisional Government had any conception of the meaning of autonomy or federalism about which they were fighting. The Military Congresses had some clearer notion of the meaning of order, even of democratic order but the Rada too often showed itself afflicted with that paralysis of action which so characterized the Provisional Government. As a result the national revolution had gone further than the author seems to indicate in the early pages of his narrative, although it was not definite in the minds of its supporters. The "Congress of Nationalities" held in Kiev in September 1917 surely deserves more than a footnote; for the participation of the other non-Russian nationalities and the Ukrainians of Siberia during the sum-

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mer of 1917 in Kievan Congresses did much to organize public opinion among all except the Great Russians and had its reflection upon the course of the Civil War. We can only hope that similar careful studies will be made not only of the Baltic movements but also of the peoples of the Caucasus and of Central Asia, for then we shall have a real picture of the independent thought of the non-Russian peoples at the moment of the fall of tsarism. It is an important and baffling subject, for Great Russians of all schools of thought cannot separate the idea of Russian unity from the Russian Empire-U.S.S.R. and the bulk of the opposition to Bolshevism was borne by the ex-tsarists, the officers and bureaucracy, and the peoples struggling for liberation. The opposition to communism was thus hopelessly split and it apparently still is. Dr. Reshetar is one of the first to study in detail part of the separatist movement. His work deserves serious consideration and many successors, especially since the Ukrainian Soviet Republic is now one of the members of the United Nations.—CLARENCE A. MANNING, Columbia University.

Daniel Waley's *Mediaeval Orvieto: The Political History of an Italian City-State, 1157–1334* (London and New York, Cambridge University Press, 1952; xxv, 170 pp. $4.00) traces the effort of this town of 20,000 inhabitants to subject and retain a large contado, and narrates a colorful history of the struggle between Guelf and Ghibelline, the rise of the Popolo and its " democracy ", and the eventual triumph of a tyrant. Mr. Waley's essay is a chronicle of political and diplomatic events. Despite incidental discussion of social and legal history, the careers of individuals, the mutations of political institutions, and social movements appear only in the context of a very generalized struggle for power. Except in the case of specifically political legislation—Guelf against Ghibelline or Popolo against Magnati—we are only occasionally given a glimpse of what Orvietan institutions were created to do. We are told little about the issuing and effects of legislation and nothing about civil or criminal justice. Such indifference to the legal and sociological aspects of history sometimes results in meaninglessness. To cite an example, while Mr. Waley tells us that Orvieto was democratic in its own terms, the only real definition of this democracy appears in a footnote on page 39. On no cited evidence at all, we are there told that women, minors, apprentices, journeymen, and the foreign-born were not " citizens ". What the author presumably means is that they did not have the right to vote or hold office. Even this is a debatable statement and one which should be discussed

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at length. Mr. Waley goes on to say that only about a quarter of Orvieto's inhabitants were citizens, the lowest admitted element being master craftsmen. Using the author's own terms, one wonders if the franchise was really even that big. If women, minors, workers, the foreign-born, and—to add categories not mentioned by Mr. Waley—clergy and domestics were not voters, the franchise must have been well below a quarter of total population. Moreover, the author's dislike of terminological exactitude leads him to underestimate two basic thirteenth-century social and constitutional changes. His failure to distinguish clearly between such terms as knights, nobles, and Magnati causes him to forget that the nobility of the early fourteenth century may well have been quite different from the patriciate of the late twelfth century. Again, he is singularly indifferent to the meaning of the gradual growth within the Popolo of the power of relatively undemocratic gilds and societies. Perhaps Mr. Waley's difficulty is that he has concentrated only on primary sources. True, he has addressed some unkind words to Salvemini, and has briefly cited Ottokar, Volpe, and Davidsohn. But one looks in vain for names like Plessner, Besta, Ercole, Gualazzini, Georg Dahm, and Heinrich Wolf. There is much history in Mr. Waley's little book, but its meaning must be read between the lines.—JOHN H. MUNDY, Columbia University.

In a sermon preached twenty years after the beginning of the English Reformation Hugh Latimer spoke of "the king's proceedings" and thereby supplied Philip Hughes with a subtitle for the first volume of his most recent work, *The Reformation in England* (New York, The Macmillan Company, 1951; xxi, 404 pp. $6.00). In this Father Hughes, formerly Archivist of the Archdiocese of Westminster and the author of important works on the history of the Catholic Church and other historical subjects of interest primarily to Catholics, presents a history of the English Reformation down to the fall of its chief architect, Thomas Cromwell, in 1540. And he does a good deal more than this. Henry VIII's failure to obtain papal sanction for the annulment of his first marriage may explain what the author calls the "peculiar spirit" in which the Henrician Reformation was carried through, but it cannot, of course, account for pre-existing conditions, some of which were highly important factors in the coming religious revolution. In six chapters preceding the one on the divorce Father Hughes examines a number of these pre-Reformation conditions, including weaknesses and abuses in English ecclesiastical institutions and religious life, widespread anticlericalism, and heresies; and it is apparent

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that he believes there was great need of a reformation, though not of "the" Reformation. On the important question of the nature and quality of the religious instruction given to Catholic laymen on the eve of the Reformation he leans heavily on G. R. Owst's writings on medieval English preaching. He thinks that the sermons men listened to did not tend to strengthen their faith and that "if Dr. Owst's reconstruction is exact, we need go little further in our search for the secret of the coming general apostasy, and of the extraordinary phenomenon that so often, in the course of a single lifetime, the English were ready to endure radical changes and counterchanges in religious life." A list of the books quoted from in this volume and the bibliographical references in the numerous footnotes indicate the breadth and depth of Father Hughes's erudition. The book bears an ecclesiastical imprimatur, and its author's theological soundness is, of course, never in doubt. But he shows no inclination to whitewash Catholics —not even popes. Clement VII is pictured as weak and vacillating, guilty of habitual duplicity in politics, and incompetent in practical judgment. Especially commendable is the author's desire, and strong effort, to understand the spirit of the times of which he writes, to recapture, for example, the deep religious convictions of the Reformers and their passionate enthusiasm. Here and there his historical sense may have failed him, as in his frequent references to "St." Thomas More. Granted that canonization is retroactive, is retroactivity historical? In connection with More's reply to Luther's reply to Henry VIII's reply to Luther's *Babylonian Captivity of the Church,* Father Hughes takes occasion to speak of the writer's "remarkable success in that field of scurrility which was peculiarly Luther's own." A scurrilous saint raises problems.—R. L. SCHUYLER, Columbia University.

Volume XII of the *Documents on American Foreign Relations* (Princeton, Princeton University Press, 1951; xxvi, 702 pp. $6.00) is a comprehensive and intelligently planned source book on the foreign relations of the United States in 1950. Sponsored by the World Peace Foundation and edited by Raymond Dennett and Robert K. Turner, it succeeds in removing American diplomatic history from the vacuum in which some scholars have repeatedly placed it. This highly desirable objective is achieved by providing documentary material on both the domestic and international background of the foreign policy of the United States. As a consequence, the book's range is enormous, and it includes documents that deal not only with every significant phase of American foreign policy but also with the major developments in

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regional organizations, the United Nations, and large and small nations in every part of the world. The introductory sections are concise and free of irrelevant material, and the editors have not insulted their readers by furnishing introductions to those documents that are self-explanatory.—HAROLD C. SYRETT, Columbia University.

Julius Turner's *Party and Constituency: Pressures on Congress* (Baltimore, The Johns Hopkins Press, 1951; 190 pp. $2.50) is a welcome departure from the literature of political "science" which is too often a random collection of untested hypotheses and generalizations based on incomplete observation. Exhibit Number One: the American Political Science Association's *Toward a More Responsible Two-Party System*. Turner's brief volume, which presents a statisical analysis of the principal factors influencing congressional voting behavior, tests empirically a great many previously unproved speculations. On the basis of an analysis of 226 roll-call votes in four sessions of Congress from 1921 to 1944, the author proves the obvious but often overlooked fact that a Congressman must please those groups who elect him to office. The study demonstrates that the most important of these groups is the political party. Although the analysis shows significant differences in the votes of Congressmen representing (1) metropolitan and rural constituencies, (2) districts containing large numbers of foreign-born citizens and those with primarily a native-born electorate, and (3) various sections of the country, none of these pressures was as effective as party affiliation. Furthermore, on certain issues—the tariff and expansion of governmental power into social and economic spheres—there has been a consistent and definite cleavage between the two major parties. Turner's book emphasizes the complexity of legislation in a bicameral legislature subject to the influences of party, sectionalism, traditionalism, and pressure groups—a fact not understood by advocates of tightly disciplined parties having all liberals in one camp and all conservatives in the other. *Party and Constituency* fills a gap in the literature of political parties. The statistical methods are clearly explained and the conclusions forcibly presented. Turner deals with the implications of the data he has collected and does so with real sophistication and astuteness.—JOSEPH A. ROSENTHAL, Walkersville, Md.

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